

195.10

ARTICLE 13

195.11

CRIMINAL SEXUAL CONDUCT REFORM

195.12 Section 1. Minnesota Statutes 2020, section 243.166, subdivision 1b, is amended to read:

195.13 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

195.14 (1) the person was charged with or petitioned for a felony violation of or attempt to
195.15 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted
195.16 of or adjudicated delinquent for that offense or another offense arising out of the same set
195.17 of circumstances:

195.18 (i) murder under section 609.185, paragraph (a), clause (2);

195.19 (ii) kidnapping under section 609.25;

195.20 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
195.21 subdivision 3; or 609.3453;

195.22 (iv) indecent exposure under section 617.23, subdivision 3; or

195.23 (v) surreptitious intrusion under the circumstances described in section 609.746,
195.24 subdivision 1, paragraph (f);

195.25 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or
195.26 aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated
195.27 delinquent for that offense or another offense arising out of the same set of circumstances:

195.28 (i) criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b);

195.29 (ii) false imprisonment in violation of section 609.255, subdivision 2;

196.1 (iii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in
196.2 the sex trafficking of a minor in violation of section 609.322;

196.3 (iv) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

196.4 (v) soliciting a minor to engage in sexual conduct in violation of section 609.352,
196.5 subdivision 2 or 2a, clause (1);

196.6 (vi) using a minor in a sexual performance in violation of section 617.246; or

196.7 (vii) possessing pornographic work involving a minor in violation of section 617.247;

196.8 (3) the person was sentenced as a patterned sex offender under section 609.3455,
196.9 subdivision 3a; or

196.10 (4) the person was charged with or petitioned for, including pursuant to a court martial,
196.11 violating a law of the United States, including the Uniform Code of Military Justice, similar

44.1

ARTICLE 4

44.2

CRIMINAL SEXUAL CONDUCT CHANGES

45.1 Sec. 2. Minnesota Statutes 2020, section 243.166, subdivision 1b, is amended to read:

45.2 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

45.3 (1) the person was charged with or petitioned for a felony violation of or attempt to
45.4 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted
45.5 of or adjudicated delinquent for that offense or another offense arising out of the same set
45.6 of circumstances:

45.7 (i) murder under section 609.185, paragraph (a), clause (2);

45.8 (ii) kidnapping under section 609.25;

45.9 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
45.10 subdivision 3; or 609.3453;

45.11 (iv) indecent exposure under section 617.23, subdivision 3; or

45.12 (v) surreptitious intrusion under the circumstances described in section 609.746,
45.13 subdivision 1, paragraph (f);

45.14 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or
45.15 aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated
45.16 delinquent for that offense or another offense arising out of the same set of circumstances:

45.17 (i) criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b);

45.18 (ii) false imprisonment in violation of section 609.255, subdivision 2;

45.19 (iii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in
45.20 the sex trafficking of a minor in violation of section 609.322;

45.21 (iv) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

45.22 (v) soliciting a minor to engage in sexual conduct in violation of section 609.352,
45.23 subdivision 2 or 2a, clause (1);

45.24 (vi) using a minor in a sexual performance in violation of section 617.246; or

45.25 (vii) possessing pornographic work involving a minor in violation of section 617.247;

45.26 (3) the person was sentenced as a patterned sex offender under section 609.3455,
45.27 subdivision 3a; or

45.28 (4) the person was charged with or petitioned for, including pursuant to a court martial,
45.29 violating a law of the United States, including the Uniform Code of Military Justice, similar

196.12 to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated delinquent
196.13 for that offense or another offense arising out of the same set of circumstances.

196.14 Notwithstanding clause (1), item (iii), a person is not required to register based on conduct
196.15 described in section 609.3451, subdivision 3, paragraph (a), unless the person has previously
196.16 been convicted of violating section 609.342; 609.343; 609.344; 609.345; 609.3451; 609.3453;
196.17 617.23, subdivision 2, clause (2), or 3; or 617.247.

196.18 (b) A person also shall register under this section if:

196.19 (1) the person was charged with or petitioned for an offense in another state that would
196.20 be a violation of a law described in paragraph (a) if committed in this state and convicted
196.21 of or adjudicated delinquent for that offense or another offense arising out of the same set
196.22 of circumstances;

196.23 (2) the person enters this state to reside, work, or attend school, or enters this state and
196.24 remains for 14 days or longer or for an aggregate period of time exceeding 30 days during
196.25 any calendar year; and

196.26 (3) ten years have not elapsed since the person was released from confinement or, if the
196.27 person was not confined, since the person was convicted of or adjudicated delinquent for
196.28 the offense that triggers registration, unless the person is subject to a longer registration
196.29 period under the laws of another state in which the person has been convicted or adjudicated,
196.30 or is subject to lifetime registration.

196.31 If a person described in this paragraph is subject to a longer registration period in another
196.32 state or is subject to lifetime registration, the person shall register for that time period
197.1 regardless of when the person was released from confinement, convicted, or adjudicated
197.2 delinquent.

197.3 (c) A person also shall register under this section if the person was committed pursuant
197.4 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
197.5 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
197.6 United States, regardless of whether the person was convicted of any offense.

197.7 (d) A person also shall register under this section if:

197.8 (1) the person was charged with or petitioned for a felony violation or attempt to violate
197.9 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
197.10 the United States, or the person was charged with or petitioned for a violation of any of the
197.11 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
197.12 States;

197.13 (2) the person was found not guilty by reason of mental illness or mental deficiency
197.14 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in
197.15 states with a guilty but mentally ill verdict; and

46.1 to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated delinquent
46.2 for that offense or another offense arising out of the same set of circumstances.

46.3 Notwithstanding clause (1), item (iii), a person is not required to register based on conduct
46.4 described in section 609.3451, subdivision 3, paragraph (a), unless the person has previously
46.5 been convicted of violating section 609.342; 609.343; 609.344; 609.345; 609.3451; 609.3453;
46.6 617.23, subdivision 2, clause (2), or 3; or 617.247.

46.7 (b) A person also shall register under this section if:

46.8 (1) the person was charged with or petitioned for an offense in another state that would
46.9 be a violation of a law described in paragraph (a) if committed in this state and convicted
46.10 of or adjudicated delinquent for that offense or another offense arising out of the same set
46.11 of circumstances;

46.12 (2) the person enters this state to reside, work, or attend school, or enters this state and
46.13 remains for 14 days or longer or for an aggregate period of time exceeding 30 days during
46.14 any calendar year; and

46.15 (3) ten years have not elapsed since the person was released from confinement or, if the
46.16 person was not confined, since the person was convicted of or adjudicated delinquent for
46.17 the offense that triggers registration, unless the person is subject to a longer registration
46.18 period under the laws of another state in which the person has been convicted or adjudicated,
46.19 or is subject to lifetime registration.

46.20 If a person described in this paragraph is subject to a longer registration period in another
46.21 state or is subject to lifetime registration, the person shall register for that time period
46.22 regardless of when the person was released from confinement, convicted, or adjudicated
46.23 delinquent.

46.24 (c) A person also shall register under this section if the person was committed pursuant
46.25 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
46.26 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
46.27 United States, regardless of whether the person was convicted of any offense.

46.28 (d) A person also shall register under this section if:

46.29 (1) the person was charged with or petitioned for a felony violation or attempt to violate
46.30 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
46.31 the United States, or the person was charged with or petitioned for a violation of any of the
46.32 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
46.33 States;

47.1 (2) the person was found not guilty by reason of mental illness or mental deficiency
47.2 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in
47.3 states with a guilty but mentally ill verdict; and

197.16 (3) the person was committed pursuant to a court commitment order under section
197.17 253B.18 or a similar law of another state or the United States.

197.18 Sec. 2. Minnesota Statutes 2020, section 609.2325, is amended to read:

197.19 **609.2325 CRIMINAL ABUSE.**

197.20 Subdivision 1. **Crimes.** ~~(a)~~ A caregiver who, with intent to produce physical or mental
197.21 pain or injury to a vulnerable adult, subjects a vulnerable adult to any aversive or deprivation
197.22 procedure, unreasonable confinement, or involuntary seclusion, is guilty of criminal abuse
197.23 and may be sentenced as provided in subdivision 3.

197.24 This ~~paragraph~~ subdivision does not apply to therapeutic conduct.

197.25 ~~(b) A caregiver, facility staff person, or person providing services in a facility who~~
197.26 ~~engages in sexual contact or penetration, as defined in section 609.341, under circumstances~~
197.27 ~~other than those described in sections 609.342 to 609.345, with a resident, patient, or client~~
197.28 ~~of the facility is guilty of criminal abuse and may be sentenced as provided in subdivision~~
197.29 ~~3.~~

197.30 Subd. 2. **Exemptions.** For the purposes of this section, a vulnerable adult is not abused
197.31 for the sole reason that:

198.1 (1) the vulnerable adult or a person with authority to make health care decisions for the
198.2 vulnerable adult under sections 144.651, 144A.44, chapter 145B, 145C, or 252A, or sections
198.3 253B.03 or 524.5-101 to 524.5-502, refuses consent or withdraws consent, consistent with
198.4 that authority and within the boundary of reasonable medical practice, to any therapeutic
198.5 conduct, including any care, service, or procedure to diagnose, maintain, or treat the physical
198.6 or mental condition of the vulnerable adult or, where permitted under law, to provide nutrition
198.7 and hydration parenterally or through intubation; this paragraph does not enlarge or diminish
198.8 rights otherwise held under law by:

198.9 (i) a vulnerable adult or a person acting on behalf of a vulnerable adult, including an
198.10 involved family member, to consent to or refuse consent for therapeutic conduct; or

198.11 (ii) a caregiver to offer or provide or refuse to offer or provide therapeutic conduct; or

198.12 (2) the vulnerable adult, a person with authority to make health care decisions for the
198.13 vulnerable adult, or a caregiver in good faith selects and depends upon spiritual means or
198.14 prayer for treatment or care of disease or remedial care of the vulnerable adult in lieu of
198.15 medical care, provided that this is consistent with the prior practice or belief of the vulnerable
198.16 adult or with the expressed intentions of the vulnerable adult; ~~or.~~

198.17 ~~(3) the vulnerable adult, who is not impaired in judgment or capacity by mental or~~
198.18 ~~emotional dysfunction or undue influence, engages in consensual sexual contact with: (i) a~~
198.19 ~~person, including a facility staff person, when a consensual sexual personal relationship~~
198.20 ~~existed prior to the caregiving relationship; or (ii) a personal care attendant, regardless of~~

47.4 (3) the person was committed pursuant to a court commitment order under section
47.5 253B.18 or a similar law of another state or the United States.

47.6 Sec. 3. Minnesota Statutes 2020, section 609.2325, is amended to read:

47.7 **609.2325 CRIMINAL ABUSE.**

47.8 Subdivision 1. **Crimes.** ~~(a)~~ A caregiver who, with intent to produce physical or mental
47.9 pain or injury to a vulnerable adult, subjects a vulnerable adult to any aversive or deprivation
47.10 procedure, unreasonable confinement, or involuntary seclusion, is guilty of criminal abuse
47.11 and may be sentenced as provided in subdivision 3.

47.12 This ~~paragraph~~ subdivision does not apply to therapeutic conduct.

47.13 ~~(b) A caregiver, facility staff person, or person providing services in a facility who~~
47.14 ~~engages in sexual contact or penetration, as defined in section 609.341, under circumstances~~
47.15 ~~other than those described in sections 609.342 to 609.345, with a resident, patient, or client~~
47.16 ~~of the facility is guilty of criminal abuse and may be sentenced as provided in subdivision~~
47.17 ~~3.~~

47.18 Subd. 2. **Exemptions.** For the purposes of this section, a vulnerable adult is not abused
47.19 for the sole reason that:

47.20 (1) the vulnerable adult or a person with authority to make health care decisions for the
47.21 vulnerable adult under sections 144.651, 144A.44, chapter 145B, 145C, or 252A, or sections
47.22 253B.03 or 524.5-101 to 524.5-502, refuses consent or withdraws consent, consistent with
47.23 that authority and within the boundary of reasonable medical practice, to any therapeutic
47.24 conduct, including any care, service, or procedure to diagnose, maintain, or treat the physical
47.25 or mental condition of the vulnerable adult or, where permitted under law, to provide nutrition
47.26 and hydration parenterally or through intubation; this paragraph does not enlarge or diminish
47.27 rights otherwise held under law by:

47.28 (i) a vulnerable adult or a person acting on behalf of a vulnerable adult, including an
47.29 involved family member, to consent to or refuse consent for therapeutic conduct; or

47.30 (ii) a caregiver to offer or provide or refuse to offer or provide therapeutic conduct; or

47.31 (2) the vulnerable adult, a person with authority to make health care decisions for the
47.32 vulnerable adult, or a caregiver in good faith selects and depends upon spiritual means or
48.1 prayer for treatment or care of disease or remedial care of the vulnerable adult in lieu of
48.2 medical care, provided that this is consistent with the prior practice or belief of the vulnerable
48.3 adult or with the expressed intentions of the vulnerable adult; ~~or.~~

48.4 ~~(3) the vulnerable adult, who is not impaired in judgment or capacity by mental or~~
48.5 ~~emotional dysfunction or undue influence, engages in consensual sexual contact with: (i) a~~
48.6 ~~person, including a facility staff person, when a consensual sexual personal relationship~~
48.7 ~~existed prior to the caregiving relationship; or (ii) a personal care attendant, regardless of~~

198.21 ~~whether the consensual sexual personal relationship existed prior to the caregiving~~
198.22 ~~relationship.~~

198.23 Subd. 3. **Penalties.** ~~(a)~~ A person who violates subdivision 1, ~~paragraph (a)~~, may be
198.24 sentenced as follows:

198.25 (1) if the act results in the death of a vulnerable adult, imprisonment for not more than
198.26 15 years or payment of a fine of not more than \$30,000, or both;

198.27 (2) if the act results in great bodily harm, imprisonment for not more than ten years or
198.28 payment of a fine of not more than \$20,000, or both;

198.29 (3) if the act results in substantial bodily harm or the risk of death, imprisonment for not
198.30 more than five years or payment of a fine of not more than \$10,000, or both; or

198.31 (4) in other cases, imprisonment for not more than one year or payment of a fine of not
198.32 more than \$3,000, or both.

199.1 ~~(b) A person who violates subdivision 1, paragraph (b), may be sentenced to imprisonment~~
199.2 ~~for not more than one year or to payment of a fine of not more than \$3,000, or both.~~

199.3 Sec. 3. Minnesota Statutes 2020, section 609.341, subdivision 3, is amended to read:

199.4 Subd. 3. **Force.** "Force" means either: (1) the infliction; ~~by the actor of bodily harm; or~~
199.5 ~~(2) the attempted infliction, or threatened infliction by the actor of bodily harm or commission~~
199.6 ~~or threat of any other crime by the actor against the complainant or another, which (a) causes~~
199.7 ~~the complainant to reasonably believe that the actor has the present ability to execute the~~
199.8 ~~threat and (b) if the actor does not have a significant relationship to the complainant, also~~
199.9 ~~causes the complainant to submit.~~

199.10 Sec. 4. Minnesota Statutes 2020, section 609.341, subdivision 7, is amended to read:

199.11 Subd. 7. **Mentally incapacitated.** "Mentally incapacitated" means:

199.12 (1) that a person under the influence of alcohol, a narcotic, anesthetic, or any other
199.13 substance, administered to that person without the person's agreement, lacks the judgment
199.14 to give a reasoned consent to sexual contact or sexual penetration; or

199.15 (2) that a person is under the influence of any substance or substances to a degree that
199.16 renders them incapable of consenting or incapable of appreciating, understanding, or
199.17 controlling the person's conduct.

199.18 Sec. 5. Minnesota Statutes 2020, section 609.341, subdivision 11, is amended to read:

199.19 Subd. 11. **Sexual contact.** (a) "Sexual contact," for the purposes of sections 609.343,
199.20 subdivision 1, clauses (a) to ~~(f)~~ (e), and subdivision 1a, clauses (a) to (f) and (i), and 609.345,
199.21 subdivision 1, clauses (a) to ~~(e)~~; (d) and ~~(h)~~ to ~~(p)~~ (i), and subdivision 1a, clauses (a) to (e),
199.22 (h), and (i), includes any of the following acts committed without the complainant's consent,

48.8 ~~whether the consensual sexual personal relationship existed prior to the caregiving~~
48.9 ~~relationship.~~

48.10 Subd. 3. **Penalties.** ~~(a)~~ A person who violates subdivision 1, ~~paragraph (a)~~, may be
48.11 sentenced as follows:

48.12 (1) if the act results in the death of a vulnerable adult, imprisonment for not more than
48.13 15 years or payment of a fine of not more than \$30,000, or both;

48.14 (2) if the act results in great bodily harm, imprisonment for not more than ten years or
48.15 payment of a fine of not more than \$20,000, or both;

48.16 (3) if the act results in substantial bodily harm or the risk of death, imprisonment for not
48.17 more than five years or payment of a fine of not more than \$10,000, or both; or

48.18 (4) in other cases, imprisonment for not more than one year or payment of a fine of not
48.19 more than \$3,000, or both.

48.20 ~~(b) A person who violates subdivision 1, paragraph (b), may be sentenced to imprisonment~~
48.21 ~~for not more than one year or to payment of a fine of not more than \$3,000, or both.~~

48.22 Sec. 4. Minnesota Statutes 2020, section 609.341, subdivision 3, is amended to read:

48.23 Subd. 3. **Force.** "Force" means either: (1) the infliction; ~~by the actor of bodily harm; or~~
48.24 ~~(2) the attempted infliction, or threatened infliction by the actor of bodily harm or commission~~
48.25 ~~or threat of any other crime by the actor against the complainant or another, which (a) causes~~
48.26 ~~the complainant to reasonably believe that the actor has the present ability to execute the~~
48.27 ~~threat and (b) if the actor does not have a significant relationship to the complainant, also~~
48.28 ~~causes the complainant to submit.~~

48.29 Sec. 5. Minnesota Statutes 2020, section 609.341, subdivision 7, is amended to read:

48.30 Subd. 7. **Mentally incapacitated.** "Mentally incapacitated" means:

49.1 (1) that a person under the influence of alcohol, a narcotic, anesthetic, or any other
49.2 substance, administered to that person without the person's agreement, lacks the judgment
49.3 to give a reasoned consent to sexual contact or sexual penetration; or

49.4 (2) that a person is under the influence of any substance or substances to a degree that
49.5 renders them incapable of consenting or incapable of appreciating, understanding, or
49.6 controlling the person's conduct.

49.7 Sec. 6. Minnesota Statutes 2020, section 609.341, subdivision 11, is amended to read:

49.8 Subd. 11. **Sexual contact.** (a) "Sexual contact," for the purposes of sections 609.343,
49.9 subdivision 1, clauses (a) to ~~(f)~~ (e), and subdivision 1a, clauses (a) to (f) and (i), and 609.345,
49.10 subdivision 1, clauses (a) to ~~(e)~~; (d) and ~~(h)~~ to ~~(p)~~ (i), and subdivision 1a, clauses (a) to (e),
49.11 (h), and (i), includes any of the following acts committed without the complainant's consent,

199.23 except in those cases where consent is not a defense, and committed with sexual or aggressive
199.24 intent:

199.25 (i) the intentional touching by the actor of the complainant's intimate parts, or

199.26 (ii) the touching by the complainant of the actor's, the complainant's, or another's intimate
199.27 parts effected by a person in a current or recent position of authority, or by coercion, or by
199.28 inducement if the complainant is under ~~13~~ 14 years of age or mentally impaired, or

199.29 (iii) the touching by another of the complainant's intimate parts effected by coercion or
199.30 by a person in a current or recent position of authority, or

200.1 (iv) in any of the cases above, the touching of the clothing covering the immediate area
200.2 of the intimate parts, or

200.3 (v) the intentional touching with seminal fluid or sperm by the actor of the complainant's
200.4 body or the clothing covering the complainant's body.

200.5 (b) "Sexual contact," for the purposes of sections 609.343, subdivision 1a, clauses (g)
200.6 and (h), and 609.345, subdivision 1a, clauses (f) and (g), includes any of the following
200.7 acts committed with sexual or aggressive intent:

200.8 (i) the intentional touching by the actor of the complainant's intimate parts;

200.9 (ii) the touching by the complainant of the actor's, the complainant's, or another's intimate
200.10 parts;

200.11 (iii) the touching by another of the complainant's intimate parts;

200.12 (iv) in any of the cases listed above, touching of the clothing covering the immediate
200.13 area of the intimate parts; or

200.14 (v) the intentional touching with seminal fluid or sperm by the actor of the complainant's
200.15 body or the clothing covering the complainant's body.

200.16 (c) "Sexual contact with a person under ~~13~~ 14" means the intentional touching of the
200.17 complainant's bare genitals or anal opening by the actor's bare genitals or anal opening with
200.18 sexual or aggressive intent or the touching by the complainant's bare genitals or anal opening
200.19 of the actor's or another's bare genitals or anal opening with sexual or aggressive intent.

200.20 Sec. 6. Minnesota Statutes 2020, section 609.341, subdivision 12, is amended to read:

200.21 Subd. 12. **Sexual penetration.** "Sexual penetration" means any of the following acts
200.22 committed without the complainant's consent, except in those cases where consent is not a
200.23 defense, whether or not emission of semen occurs:

200.24 (1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

200.25 (2) any intrusion however slight into the genital or anal openings:

49.12 except in those cases where consent is not a defense, and committed with sexual or aggressive
49.13 intent:

49.14 (i) the intentional touching by the actor of the complainant's intimate parts, or

49.15 (ii) the touching by the complainant of the actor's, the complainant's, or another's intimate
49.16 parts effected by a person in a current or recent position of authority, or by coercion, or by
49.17 inducement if the complainant is under ~~13~~ 14 years of age or mentally impaired, or

49.18 (iii) the touching by another of the complainant's intimate parts effected by coercion or
49.19 by a person in a current or recent position of authority, or

49.20 (iv) in any of the cases above, the touching of the clothing covering the immediate area
49.21 of the intimate parts, or

49.22 (v) the intentional touching with seminal fluid or sperm by the actor of the complainant's
49.23 body or the clothing covering the complainant's body.

49.24 (b) "Sexual contact," for the purposes of sections 609.343, subdivision 1a, clauses (g)
49.25 and (h), and 609.345, subdivision 1a, clauses (f) and (g), includes any of the following
49.26 acts committed with sexual or aggressive intent:

49.27 (i) the intentional touching by the actor of the complainant's intimate parts;

49.28 (ii) the touching by the complainant of the actor's, the complainant's, or another's intimate
49.29 parts;

49.30 (iii) the touching by another of the complainant's intimate parts;

50.1 (iv) in any of the cases listed above, touching of the clothing covering the immediate
50.2 area of the intimate parts; or

50.3 (v) the intentional touching with seminal fluid or sperm by the actor of the complainant's
50.4 body or the clothing covering the complainant's body.

50.5 (c) "Sexual contact with a person under ~~13~~ 14" means the intentional touching of the
50.6 complainant's bare genitals or anal opening by the actor's bare genitals or anal opening with
50.7 sexual or aggressive intent or the touching by the complainant's bare genitals or anal opening
50.8 of the actor's or another's bare genitals or anal opening with sexual or aggressive intent.

50.9 Sec. 7. Minnesota Statutes 2020, section 609.341, subdivision 12, is amended to read:

50.10 Subd. 12. **Sexual penetration.** "Sexual penetration" means any of the following acts
50.11 committed without the complainant's consent, except in those cases where consent is not a
50.12 defense, whether or not emission of semen occurs:

50.13 (1) sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

50.14 (2) any intrusion however slight into the genital or anal openings:

200.26 (i) of the complainant's body by any part of the actor's body or any object used by the
200.27 actor for this purpose;

200.28 (ii) of the complainant's body by any part of the body of the complainant, by any part
200.29 of the body of another person, or by any object used by the complainant or another person
200.30 for this purpose, when effected by a person in a current or recent position of authority, or
201.1 by coercion, or by inducement if the child is under ~~13~~ 14 years of age or mentally impaired;
201.2 or

201.3 (iii) of the body of the actor or another person by any part of the body of the complainant
201.4 or by any object used by the complainant for this purpose, when effected by a person in a
201.5 current or recent position of authority, or by coercion, or by inducement if the child is under
201.6 ~~13~~ 14 years of age or mentally impaired.

201.7 Sec. 7. Minnesota Statutes 2020, section 609.341, subdivision 14, is amended to read:

201.8 Subd. 14. **Coercion.** "Coercion" means the use by the actor of words or circumstances
201.9 that cause the complainant reasonably to fear ~~that the actor will inflict the infliction of~~ bodily
201.10 harm upon the complainant or another, or the use by the actor of confinement, or superior
201.11 size or strength, against the complainant that causes the complainant to submit to sexual
201.12 penetration or contact against the complainant's will to accomplish the act. Proof of coercion
201.13 does not require proof of a specific act or threat.

201.14 Sec. 8. Minnesota Statutes 2020, section 609.341, subdivision 15, is amended to read:

201.15 Subd. 15. **Significant relationship.** "Significant relationship" means a situation in which
201.16 the actor is:

201.17 (1) the complainant's parent, stepparent, or guardian;

201.18 (2) any of the following persons related to the complainant by blood, marriage, or
201.19 adoption: brother, sister, stepbrother, stepsister, first cousin, aunt, uncle, nephew, niece,
201.20 grandparent, great-grandparent, great-uncle, great-aunt; ~~or~~

201.21 (3) an adult who jointly resides intermittently or regularly in the same dwelling as the
201.22 complainant and who is not the complainant's spouse; or

201.23 (4) an adult who is or was involved in a significant romantic or sexual relationship with
201.24 the parent of a complainant.

201.25 Sec. 9. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision to
201.26 read:

201.27 Subd. 24. **Prohibited occupational relationship.** A "prohibited occupational
201.28 relationship" exists when the actor is in one of the following occupations and the act takes
201.29 place under the specified circumstances:

201.30 (1) the actor performed massage or other bodywork for hire, the sexual penetration or
201.31 sexual contact occurred during or immediately before or after the actor performed or was

50.15 (i) of the complainant's body by any part of the actor's body or any object used by the
50.16 actor for this purpose;

50.17 (ii) of the complainant's body by any part of the body of the complainant, by any part
50.18 of the body of another person, or by any object used by the complainant or another person
50.19 for this purpose, when effected by a person in a current or recent position of authority, or
50.20 by coercion, or by inducement if the child is under ~~13~~ 14 years of age or mentally impaired;
50.21 or

50.22 (iii) of the body of the actor or another person by any part of the body of the complainant
50.23 or by any object used by the complainant for this purpose, when effected by a person in a
50.24 current or recent position of authority, or by coercion, or by inducement if the child is under
50.25 ~~13~~ 14 years of age or mentally impaired.

50.26 Sec. 8. Minnesota Statutes 2020, section 609.341, subdivision 14, is amended to read:

50.27 Subd. 14. **Coercion.** "Coercion" means the use by the actor of words or circumstances
50.28 that cause the complainant reasonably to fear ~~that the actor will inflict the infliction of~~ bodily
50.29 harm upon the complainant or another, or the use by the actor of confinement, or superior
50.30 size or strength, against the complainant that causes the complainant to submit to sexual
51.1 penetration or contact against the complainant's will to accomplish the act. Proof of coercion
51.2 does not require proof of a specific act or threat.

51.3 Sec. 9. Minnesota Statutes 2020, section 609.341, subdivision 15, is amended to read:

51.4 Subd. 15. **Significant relationship.** "Significant relationship" means a situation in which
51.5 the actor is:

51.6 (1) the complainant's parent, stepparent, or guardian;

51.7 (2) any of the following persons related to the complainant by blood, marriage, or
51.8 adoption: brother, sister, stepbrother, stepsister, first cousin, aunt, uncle, nephew, niece,
51.9 grandparent, great-grandparent, great-uncle, great-aunt; ~~or~~

51.10 (3) an adult who jointly resides intermittently or regularly in the same dwelling as the
51.11 complainant and who is not the complainant's spouse; or

51.12 (4) an adult who is or was involved in a significant romantic or sexual relationship with
51.13 the parent of a complainant.

51.14 Sec. 10. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision
51.15 to read:

51.16 Subd. 24. **Prohibited occupational relationship.** A "prohibited occupational
51.17 relationship" exists when the actor is in one of the following occupations and the act takes
51.18 place under the specified circumstances:

51.19 (1) the actor performed massage or other bodywork for hire, the sexual penetration or
51.20 sexual contact occurred during or immediately before or after the actor performed or was

202.1 hired to perform one of those services for the complainant, and the sexual penetration or
202.2 sexual contact was nonconsensual; or

202.3 (2) the actor and the complainant were in one of the following occupational relationships
202.4 at the time of the act. Consent by the complainant is not a defense:

202.5 (i) the actor was a psychotherapist, the complainant was the actor's patient, and the sexual
202.6 penetration or sexual contact occurred during a psychotherapy session or during a period
202.7 of time when the psychotherapist-patient relationship was ongoing;

202.8 (ii) the actor was a psychotherapist and the complainant was the actor's former patient
202.9 who was emotionally dependent on the actor;

202.10 (iii) the actor was or falsely impersonated a psychotherapist, the complainant was the
202.11 actor's patient or former patient, and the sexual penetration or sexual contact occurred by
202.12 means of therapeutic deception;

202.13 (iv) the actor was or falsely impersonated a provider of medical services to the
202.14 complainant and the sexual penetration or sexual contact occurred by means of deception
202.15 or false representation that the sexual penetration or sexual contact was for a bona fide
202.16 medical purpose;

202.17 (v) the actor was or falsely impersonated a member of the clergy, the complainant was
202.18 not married to the actor, the complainant met with the actor in private seeking or receiving
202.19 religious or spiritual advice, aid, or comfort from the actor, and the sexual penetration or
202.20 sexual contact occurred during the course of the meeting or during a period of time when
202.21 the meetings were ongoing;

202.22 (vi) the actor provided special transportation service to the complainant and the sexual
202.23 penetration or sexual contact occurred during or immediately before or after the actor
202.24 transported the complainant;

202.25 (vii) the actor was or falsely impersonated a peace officer, as defined in section 626.84,
202.26 the actor physically or constructively restrained the complainant or the complainant did not
202.27 reasonably feel free to leave the actor's presence, and the sexual penetration or sexual contact
202.28 was not pursuant to a lawful search or lawful use of force;

202.29 (viii) the actor was an employee, independent contractor, or volunteer of a state, county,
202.30 city, or privately operated adult or juvenile correctional system, or secure treatment facility,
202.31 or treatment facility providing services to clients civilly committed as mentally ill and
202.32 dangerous, sexually dangerous persons, or sexual psychopathic personalities, including but
203.1 not limited to jails, prisons, detention centers, or work release facilities, and the complainant
203.2 was a resident of a facility or under supervision of the correctional system;

203.3 (ix) the complainant was enrolled in a secondary school and:

51.21 hired to perform one of those services for the complainant, and the sexual penetration or
51.22 sexual contact was nonconsensual; or

51.23 (2) the actor and the complainant were in one of the following occupational relationships
51.24 at the time of the act. Consent by the complainant is not a defense:

51.25 (i) the actor was a psychotherapist, the complainant was the actor's patient, and the sexual
51.26 penetration or sexual contact occurred during a psychotherapy session or during a period
51.27 of time when the psychotherapist-patient relationship was ongoing;

51.28 (ii) the actor was a psychotherapist and the complainant was the actor's former patient
51.29 who was emotionally dependent on the actor;

52.1 (iii) the actor was or falsely impersonated a psychotherapist, the complainant was the
52.2 actor's patient or former patient, and the sexual penetration or sexual contact occurred by
52.3 means of therapeutic deception;

52.4 (iv) the actor was or falsely impersonated a provider of medical services to the
52.5 complainant and the sexual penetration or sexual contact occurred by means of deception
52.6 or false representation that the sexual penetration or sexual contact was for a bona fide
52.7 medical purpose;

52.8 (v) the actor was or falsely impersonated a member of the clergy, the complainant was
52.9 not married to the actor, the complainant met with the actor in private seeking or receiving
52.10 religious or spiritual advice, aid, or comfort from the actor, and the sexual penetration or
52.11 sexual contact occurred during the course of the meeting or during a period of time when
52.12 the meetings were ongoing;

52.13 (vi) the actor provided special transportation service to the complainant and the sexual
52.14 penetration or sexual contact occurred during or immediately before or after the actor
52.15 transported the complainant;

52.16 (vii) the actor was or falsely impersonated a peace officer, as defined in section 626.84,
52.17 the actor physically or constructively restrained the complainant or the complainant did not
52.18 reasonably feel free to leave the actor's presence, and the sexual penetration or sexual contact
52.19 was not pursuant to a lawful search or lawful use of force;

52.20 (viii) the actor was an employee, independent contractor, or volunteer of a state, county,
52.21 city, or privately operated adult or juvenile correctional system, or secure treatment facility,
52.22 or treatment facility providing services to clients civilly committed as mentally ill and
52.23 dangerous, sexually dangerous persons, or sexual psychopathic personalities, including but
52.24 not limited to jails, prisons, detention centers, or work release facilities, and the complainant
52.25 was a resident of a facility or under supervision of the correctional system;

52.26 (ix) the complainant was enrolled in a secondary school and:

203.4 (A) the actor was a licensed educator employed or contracted to provide service for the
203.5 school at which the complainant was a student;

203.6 (B) the actor was age 18 or older and at least 48 months older than the complainant and
203.7 was employed or contracted to provide service for the secondary school at which the
203.8 complainant was a student; or

203.9 (C) the actor was age 18 or older and at least 48 months older than the complainant, and
203.10 was a licensed educator employed or contracted to provide services for an elementary,
203.11 middle, or secondary school;

203.12 (x) the actor was a caregiver, facility staff person, or person providing services in a
203.13 facility, as defined under section 609.232, subdivision 3, and the complainant was a
203.14 vulnerable adult who was a resident, patient, or client of the facility who was impaired in
203.15 judgment or capacity by mental or emotional dysfunction or undue influence; or

203.16 (xi) the actor was a caregiver, facility staff person, or person providing services in a
203.17 facility, and the complainant was a resident, patient, or client of the facility. This clause
203.18 does not apply if a consensual sexual personal relationship existed prior to the caregiving
203.19 relationship or if the actor was a personal care attendant.

203.20 Sec. 10. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision
203.21 to read:

203.22 Subd. 25. **Caregiver.** "Caregiver" has the meaning given in section 609.232, subdivision
203.23 2.

203.24 Sec. 11. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision
203.25 to read:

203.26 Subd. 26. **Facility.** "Facility" has the meaning given in section 609.232, subdivision 3.

203.27 Sec. 12. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision
203.28 to read:

203.29 Subd. 27. **Vulnerable adult.** "Vulnerable adult" has the meaning given in section
203.30 609.232, subdivision 11.

204.1 Sec. 13. Minnesota Statutes 2020, section 609.342, is amended to read:

204.2 **609.342 CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE.**

204.3 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual penetration
204.4 with another person, or in sexual contact with a person under 13 years of age as defined in
204.5 section 609.341, subdivision 11, paragraph (e), is guilty of criminal sexual conduct in the
204.6 first degree if any of the following circumstances exists:

52.27 (A) the actor was a licensed educator employed or contracted to provide service for the
52.28 school at which the complainant was a student;

52.29 (B) the actor was age 18 or older and at least 48 months older than the complainant and
52.30 was employed or contracted to provide service for the secondary school at which the
52.31 complainant was a student; or

53.1 (C) the actor was age 18 or older and at least 48 months older than the complainant, and
53.2 was a licensed educator employed or contracted to provide services for an elementary,
53.3 middle, or secondary school;

53.4 (x) the actor was a caregiver, facility staff person, or person providing services in a
53.5 facility, as defined under section 609.232, subdivision 3, and the complainant was a
53.6 vulnerable adult who was a resident, patient, or client of the facility who was impaired in
53.7 judgment or capacity by mental or emotional dysfunction or undue influence; or

53.8 (xi) the actor was a caregiver, facility staff person, or person providing services in a
53.9 facility, and the complainant was a resident, patient, or client of the facility. This clause
53.10 does not apply if a consensual sexual personal relationship existed prior to the caregiving
53.11 relationship or if the actor was a personal care attendant.

53.12 Sec. 11. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision
53.13 to read:

53.14 Subd. 25. **Caregiver.** "Caregiver" has the meaning given in section 609.232, subdivision
53.15 2.

53.16 Sec. 12. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision
53.17 to read:

53.18 Subd. 26. **Facility.** "Facility" has the meaning given in section 609.232, subdivision 3.

53.19 Sec. 13. Minnesota Statutes 2020, section 609.341, is amended by adding a subdivision
53.20 to read:

53.21 Subd. 27. **Vulnerable adult.** "Vulnerable adult" has the meaning given in section
53.22 609.232, subdivision 11.

53.23 Sec. 14. Minnesota Statutes 2020, section 609.342, is amended to read:

53.24 **609.342 CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE.**

53.25 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual penetration
53.26 with another person, or in sexual contact with a person under 13 years of age as defined in
53.27 section 609.341, subdivision 11, paragraph (e), is guilty of criminal sexual conduct in the
53.28 first degree if any of the following circumstances exists:

204.7 ~~(a) the complainant is under 13 years of age and the actor is more than 36 months older~~
204.8 ~~than the complainant. Neither mistake as to the complainant's age nor consent to the act by~~
204.9 ~~the complainant is a defense;~~

204.10 ~~(b) the complainant is at least 13 years of age but less than 16 years of age and the actor~~
204.11 ~~is more than 48 months older than the complainant and in a current or recent position of~~
204.12 ~~authority over the complainant. Neither mistake as to the complainant's age nor consent to~~
204.13 ~~the act by the complainant is a defense;~~

204.14 ~~(a)~~ (a) circumstances existing at the time of the act cause the complainant to have a
204.15 reasonable fear of imminent great bodily harm to the complainant or another;

204.16 ~~(b)~~ (b) the actor is armed with a dangerous weapon or any article used or fashioned in
204.17 a manner to lead the complainant to reasonably believe it to be a dangerous weapon and
204.18 uses or threatens to use the weapon or article to cause the complainant to submit;

204.19 ~~(c)~~ (c) the actor causes personal injury to the complainant, and ~~either~~ any of the following
204.20 circumstances exist:

204.21 (i) the actor uses ~~force or~~ coercion to accomplish the act; ~~or~~

204.22 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

204.23 ~~(ii)~~ (iii) the actor knows or has reason to know that the complainant is mentally impaired,
204.24 mentally incapacitated, or physically helpless;

204.25 (d) the actor uses force as defined in section 609.341, subdivision 3, clause (1); or

204.26 ~~(f)~~ (e) the actor is aided or abetted by one or more accomplices within the meaning of
204.27 section 609.05, and either of the following circumstances exists:

204.28 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
204.29 or

204.30 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
204.31 fashioned in a manner to lead the complainant reasonably to believe it to be a dangerous
205.1 weapon and uses or threatens to use the weapon or article to cause the complainant to
205.2 submit;

205.3 ~~(g) the actor has a significant relationship to the complainant and the complainant was~~
205.4 ~~under 16 years of age at the time of the act. Neither mistake as to the complainant's age nor~~
205.5 ~~consent to the act by the complainant is a defense; or~~

205.6 ~~(h) the actor has a significant relationship to the complainant, the complainant was under~~
205.7 ~~16 years of age at the time of the act, and;~~

205.8 (i) the actor or an accomplice used force or coercion to accomplish the act;

205.9 (ii) the complainant suffered personal injury; or

54.1 ~~(a) the complainant is under 13 years of age and the actor is more than 36 months older~~
54.2 ~~than the complainant. Neither mistake as to the complainant's age nor consent to the act by~~
54.3 ~~the complainant is a defense;~~

54.4 ~~(b) the complainant is at least 13 years of age but less than 16 years of age and the actor~~
54.5 ~~is more than 48 months older than the complainant and in a current or recent position of~~
54.6 ~~authority over the complainant. Neither mistake as to the complainant's age nor consent to~~
54.7 ~~the act by the complainant is a defense;~~

54.8 ~~(a)~~ (a) circumstances existing at the time of the act cause the complainant to have a
54.9 reasonable fear of imminent great bodily harm to the complainant or another;

54.10 ~~(b)~~ (b) the actor is armed with a dangerous weapon or any article used or fashioned in
54.11 a manner to lead the complainant to reasonably believe it to be a dangerous weapon and
54.12 uses or threatens to use the weapon or article to cause the complainant to submit;

54.13 ~~(c)~~ (c) the actor causes personal injury to the complainant, and ~~either~~ any of the following
54.14 circumstances exist:

54.15 (i) the actor uses ~~force or~~ coercion to accomplish the act; ~~or~~

54.16 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

54.17 ~~(ii)~~ (iii) the actor knows or has reason to know that the complainant is mentally impaired,
54.18 mentally incapacitated, or physically helpless;

54.19 (d) the actor uses force as defined in section 609.341, subdivision 3, clause (1); or

54.20 ~~(f)~~ (e) the actor is aided or abetted by one or more accomplices within the meaning of
54.21 section 609.05, and either of the following circumstances exists:

54.22 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
54.23 or

54.24 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
54.25 fashioned in a manner to lead the complainant reasonably to believe it to be a dangerous
54.26 weapon and uses or threatens to use the weapon or article to cause the complainant to
54.27 submit;

54.28 ~~(g) the actor has a significant relationship to the complainant and the complainant was~~
54.29 ~~under 16 years of age at the time of the act. Neither mistake as to the complainant's age nor~~
54.30 ~~consent to the act by the complainant is a defense; or~~

54.31 ~~(h) the actor has a significant relationship to the complainant, the complainant was under~~
54.32 ~~16 years of age at the time of the act, and;~~

55.1 (i) the actor or an accomplice used force or coercion to accomplish the act;

55.2 (ii) the complainant suffered personal injury; or

205.10 ~~(iii) the sexual abuse involved multiple acts committed over an extended period of time.~~
205.11 ~~Neither mistake as to the complainant's age nor consent to the act by the complainant is~~
205.12 ~~a defense.~~

205.13 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in
205.14 penetration with anyone under 18 years of age or sexual contact with a person under 14
205.15 years of age as defined in section 609.341, subdivision 11, paragraph (c), is guilty of criminal
205.16 sexual conduct in the first degree if any of the following circumstances exists:

205.17 (a) circumstances existing at the time of the act cause the complainant to have a
205.18 reasonable fear of imminent great bodily harm to the complainant or another;

205.19 (b) the actor is armed with a dangerous weapon or any article used or fashioned in a
205.20 manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses
205.21 or threatens to use the weapon or article to cause the complainant to submit;

205.22 (c) the actor causes personal injury to the complainant, and any of the following
205.23 circumstances exist:

205.24 (i) the actor uses coercion to accomplish the act;

205.25 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

205.26 (iii) the actor knows or has reason to know that the complainant is mentally impaired,
205.27 mentally incapacitated, or physically helpless;

205.28 (d) the actor is aided or abetted by one or more accomplices within the meaning of
205.29 section 609.05, and either of the following circumstances exists:

205.30 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
205.31 or

206.1 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
206.2 fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous
206.3 weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

206.4 (e) the complainant is under 14 years of age and the actor is more than 36 months older
206.5 than the complainant. Neither mistake as to the complainant's age nor consent to the act by
206.6 the complainant is a defense;

206.7 (f) the complainant is at least 14 years of age but less than 16 years of age and:

206.8 (i) the actor is more than 36 months older than the complainant; and

206.9 (ii) the actor is in a current or recent position of authority over the complainant.

206.10 Neither mistake as to the complainant's age nor consent to the act by the complainant is a
206.11 defense;

55.3 ~~(iii) the sexual abuse involved multiple acts committed over an extended period of time.~~
55.4 ~~Neither mistake as to the complainant's age nor consent to the act by the complainant is~~
55.5 ~~a defense.~~

55.6 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in
55.7 penetration with anyone under 18 years of age or sexual contact with a person under 14
55.8 years of age as defined in section 609.341, subdivision 11, paragraph (c), is guilty of criminal
55.9 sexual conduct in the first degree if any of the following circumstances exists:

55.10 (a) circumstances existing at the time of the act cause the complainant to have a
55.11 reasonable fear of imminent great bodily harm to the complainant or another;

55.12 (b) the actor is armed with a dangerous weapon or any article used or fashioned in a
55.13 manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses
55.14 or threatens to use the weapon or article to cause the complainant to submit;

55.15 (c) the actor causes personal injury to the complainant, and any of the following
55.16 circumstances exist:

55.17 (i) the actor uses coercion to accomplish the act;

55.18 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

55.19 (iii) the actor knows or has reason to know that the complainant is mentally impaired,
55.20 mentally incapacitated, or physically helpless;

55.21 (d) the actor is aided or abetted by one or more accomplices within the meaning of
55.22 section 609.05, and either of the following circumstances exists:

55.23 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
55.24 or

55.25 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
55.26 fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous
55.27 weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

55.28 (e) the complainant is under 14 years of age and the actor is more than 36 months older
55.29 than the complainant. Neither mistake as to the complainant's age nor consent to the act by
55.30 the complainant is a defense;

55.31 (f) the complainant is at least 14 years of age but less than 16 years of age and:

56.1 (i) the actor is more than 36 months older than the complainant; and

56.2 (ii) the actor is in a current or recent position of authority over the complainant.

56.3 Neither mistake as to the complainant's age nor consent to the act by the complainant is a
56.4 defense;

206.12 (g) the complainant was under 16 years of age at the time of the act and the actor has a
206.13 significant relationship to the complainant. Neither mistake as to the complainant's age nor
206.14 consent to the act by the complainant is a defense;

206.15 (h) the complainant was under 16 years of age at the time of the act, and the actor has
206.16 a significant relationship to the complainant and any of the following circumstances exist:

206.17 (i) the actor or an accomplice used force or coercion to accomplish the act;

206.18 (ii) the complainant suffered personal injury; or

206.19 (iii) the sexual abuse involved multiple acts committed over an extended period of time.

206.20 Neither mistake as to the complainant's age nor consent to the act by the complainant is a
206.21 defense; or

206.22 (i) the actor uses force, as defined in section 609.341, subdivision 3, clause (1).

206.23 Subd. 2. **Penalty.** (a) Except as otherwise provided in section 609.3455; or Minnesota
206.24 Statutes 2004, section 609.109, a person convicted under subdivision 1 or subdivision 1a
206.25 may be sentenced to imprisonment for not more than 30 years or to a payment of a fine of
206.26 not more than \$40,000, or both.

206.27 (b) Unless a longer mandatory minimum sentence is otherwise required by law or the
206.28 Sentencing Guidelines provide for a longer presumptive executed sentence, the court shall
206.29 presume that an executed sentence of 144 months must be imposed on an offender convicted
206.30 of violating this section. Sentencing a person in a manner other than that described in this
206.31 paragraph is a departure from the Sentencing Guidelines.

207.1 (c) A person convicted under this section is also subject to conditional release under
207.2 section 609.3455.

207.3 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
207.4 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision 1 or 1a,
207.5 clause (g), the court may stay imposition or execution of the sentence if it finds that:

207.6 (a) a stay is in the best interest of the complainant or the family unit; and

207.7 (b) a professional assessment indicates that the offender has been accepted by and can
207.8 respond to a treatment program.

207.9 If the court stays imposition or execution of sentence, it shall include the following as
207.10 conditions of probation:

207.11 (1) incarceration in a local jail or workhouse;

207.12 (2) a requirement that the offender complete a treatment program; and

56.5 (g) the complainant was under 16 years of age at the time of the act and the actor has a
56.6 significant relationship to the complainant. Neither mistake as to the complainant's age nor
56.7 consent to the act by the complainant is a defense;

56.8 (h) the complainant was under 16 years of age at the time of the act, and the actor has
56.9 a significant relationship to the complainant and any of the following circumstances exist:

56.10 (i) the actor or an accomplice used force or coercion to accomplish the act;

56.11 (ii) the complainant suffered personal injury; or

56.12 (iii) the sexual abuse involved multiple acts committed over an extended period of time.

56.13 Neither mistake as to the complainant's age nor consent to the act by the complainant is a
56.14 defense; or

56.15 (i) the actor uses force, as defined in section 609.341, subdivision 3, clause (1).

56.16 Subd. 2. **Penalty.** (a) Except as otherwise provided in section 609.3455; or Minnesota
56.17 Statutes 2004, section 609.109, a person convicted under subdivision 1 or subdivision 1a
56.18 may be sentenced to imprisonment for not more than 30 years or to a payment of a fine of
56.19 not more than \$40,000, or both.

56.20 (b) Unless a longer mandatory minimum sentence is otherwise required by law or the
56.21 Sentencing Guidelines provide for a longer presumptive executed sentence, the court shall
56.22 presume that an executed sentence of 144 months must be imposed on an offender convicted
56.23 of violating this section. Sentencing a person in a manner other than that described in this
56.24 paragraph is a departure from the Sentencing Guidelines.

56.25 (c) A person convicted under this section is also subject to conditional release under
56.26 section 609.3455.

56.27 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
56.28 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision 1 or 1a,
56.29 clause (g), the court may stay imposition or execution of the sentence if it finds that:

56.30 (a) a stay is in the best interest of the complainant or the family unit; and

57.1 (b) a professional assessment indicates that the offender has been accepted by and can
57.2 respond to a treatment program.

57.3 If the court stays imposition or execution of sentence, it shall include the following as
57.4 conditions of probation:

57.5 (1) incarceration in a local jail or workhouse;

57.6 (2) a requirement that the offender complete a treatment program; and

207.13 (3) a requirement that the offender have no unsupervised contact with the complainant
207.14 until the offender has successfully completed the treatment program unless approved by
207.15 the treatment program and the supervising correctional agent.

207.16 Sec. 14. Minnesota Statutes 2020, section 609.343, is amended to read:

207.17 **609.343 CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE.**

207.18 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual contact
207.19 with another person is guilty of criminal sexual conduct in the second degree if any of the
207.20 following circumstances exists:

207.21 ~~(a) the complainant is under 13 years of age and the actor is more than 36 months older~~
207.22 ~~than the complainant. Neither mistake as to the complainant's age nor consent to the act by~~
207.23 ~~the complainant is a defense. In a prosecution under this clause, the state is not required to~~
207.24 ~~prove that the sexual contact was coerced;~~

207.25 ~~(b) the complainant is at least 13 but less than 16 years of age and the actor is more than~~
207.26 ~~48 months older than the complainant and in a current or recent position of authority over~~
207.27 ~~the complainant. Neither mistake as to the complainant's age nor consent to the act by the~~
207.28 ~~complainant is a defense;~~

207.29 ~~(e)~~ (a) circumstances existing at the time of the act cause the complainant to have a
207.30 reasonable fear of imminent great bodily harm to the complainant or another;

208.1 ~~(f)~~ (b) the actor is armed with a dangerous weapon or any article used or fashioned in
208.2 a manner to lead the complainant to reasonably believe it to be a dangerous weapon and
208.3 uses or threatens to use the dangerous weapon to cause the complainant to submit;

208.4 ~~(g)~~ (c) the actor causes personal injury to the complainant, and ~~either~~ any of the following
208.5 circumstances exist:

208.6 (i) the actor uses ~~force or~~ coercion to accomplish the sexual contact; ~~or~~

208.7 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

208.8 ~~(ii)~~ (iii) the actor knows or has reason to know that the complainant is mentally impaired,
208.9 mentally incapacitated, or physically helpless;

208.10 (d) the actor uses force as defined in section 609.341, subdivision 3, clause (1); or

208.11 ~~(f)~~ (e) the actor is aided or abetted by one or more accomplices within the meaning of
208.12 section 609.05, and either of the following circumstances exists:

208.13 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
208.14 or

208.15 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
208.16 fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous

57.7 (3) a requirement that the offender have no unsupervised contact with the complainant
57.8 until the offender has successfully completed the treatment program unless approved by
57.9 the treatment program and the supervising correctional agent.

57.10 Sec. 15. Minnesota Statutes 2020, section 609.343, is amended to read:

57.11 **609.343 CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE.**

57.12 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual contact
57.13 with another person is guilty of criminal sexual conduct in the second degree if any of the
57.14 following circumstances exists:

57.15 ~~(a) the complainant is under 13 years of age and the actor is more than 36 months older~~
57.16 ~~than the complainant. Neither mistake as to the complainant's age nor consent to the act by~~
57.17 ~~the complainant is a defense. In a prosecution under this clause, the state is not required to~~
57.18 ~~prove that the sexual contact was coerced;~~

57.19 ~~(b) the complainant is at least 13 but less than 16 years of age and the actor is more than~~
57.20 ~~48 months older than the complainant and in a current or recent position of authority over~~
57.21 ~~the complainant. Neither mistake as to the complainant's age nor consent to the act by the~~
57.22 ~~complainant is a defense;~~

57.23 ~~(e)~~ (a) circumstances existing at the time of the act cause the complainant to have a
57.24 reasonable fear of imminent great bodily harm to the complainant or another;

57.25 ~~(f)~~ (b) the actor is armed with a dangerous weapon or any article used or fashioned in
57.26 a manner to lead the complainant to reasonably believe it to be a dangerous weapon and
57.27 uses or threatens to use the dangerous weapon to cause the complainant to submit;

57.28 ~~(g)~~ (c) the actor causes personal injury to the complainant, and ~~either~~ any of the following
57.29 circumstances exist:

57.30 (i) the actor uses ~~force or~~ coercion to accomplish the sexual contact; ~~or~~

57.31 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

58.1 ~~(ii)~~ (iii) the actor knows or has reason to know that the complainant is mentally impaired,
58.2 mentally incapacitated, or physically helpless;

58.3 (d) the actor uses force as defined in section 609.341, subdivision 3, clause (1); or

58.4 ~~(f)~~ (e) the actor is aided or abetted by one or more accomplices within the meaning of
58.5 section 609.05, and either of the following circumstances exists:

58.6 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
58.7 or

58.8 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
58.9 fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous

208.17 weapon and uses or threatens to use the weapon or article to cause the complainant to
208.18 submit;

208.19 ~~(g) the actor has a significant relationship to the complainant and the complainant was~~
208.20 ~~under 16 years of age at the time of the sexual contact. Neither mistake as to the complainant's~~
208.21 ~~age nor consent to the act by the complainant is a defense; or~~

208.22 ~~(h) the actor has a significant relationship to the complainant, the complainant was under~~
208.23 ~~16 years of age at the time of the sexual contact, and:~~

208.24 ~~(i) the actor or an accomplice used force or coercion to accomplish the contact;~~

208.25 ~~(ii) the complainant suffered personal injury; or~~

208.26 ~~(iii) the sexual abuse involved multiple acts committed over an extended period of time.~~

208.27 ~~Neither mistake as to the complainant's age nor consent to the act by the complainant is~~
208.28 ~~a defense.~~

208.29 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in sexual
208.30 contact with anyone under 18 years of age is guilty of criminal sexual conduct in the second
208.31 degree if any of the following circumstances exists:

209.1 (a) circumstances existing at the time of the act cause the complainant to have a
209.2 reasonable fear of imminent great bodily harm to the complainant or another;

209.3 (b) the actor is armed with a dangerous weapon or any article used or fashioned in a
209.4 manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses
209.5 or threatens to use the dangerous weapon to cause the complainant to submit;

209.6 (c) the actor causes personal injury to the complainant, and any of the following
209.7 circumstances exist:

209.8 (i) the actor uses coercion to accomplish the sexual contact;

209.9 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

209.10 (iii) the actor knows or has reason to know that the complainant is mentally impaired,
209.11 mentally incapacitated, or physically helpless;

209.12 (d) the actor is aided or abetted by one or more accomplices within the meaning of
209.13 section 609.05, and either of the following circumstances exists:

209.14 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
209.15 or

209.16 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
209.17 fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous
209.18 weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

58.10 weapon and uses or threatens to use the weapon or article to cause the complainant to
58.11 submit;

58.12 ~~(g) the actor has a significant relationship to the complainant and the complainant was~~
58.13 ~~under 16 years of age at the time of the sexual contact. Neither mistake as to the complainant's~~
58.14 ~~age nor consent to the act by the complainant is a defense; or~~

58.15 ~~(h) the actor has a significant relationship to the complainant, the complainant was under~~
58.16 ~~16 years of age at the time of the sexual contact, and:~~

58.17 ~~(i) the actor or an accomplice used force or coercion to accomplish the contact;~~

58.18 ~~(ii) the complainant suffered personal injury; or~~

58.19 ~~(iii) the sexual abuse involved multiple acts committed over an extended period of time.~~

58.20 ~~Neither mistake as to the complainant's age nor consent to the act by the complainant is~~
58.21 ~~a defense.~~

58.22 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in sexual
58.23 contact with anyone under 18 years of age is guilty of criminal sexual conduct in the second
58.24 degree if any of the following circumstances exists:

58.25 (a) circumstances existing at the time of the act cause the complainant to have a
58.26 reasonable fear of imminent great bodily harm to the complainant or another;

58.27 (b) the actor is armed with a dangerous weapon or any article used or fashioned in a
58.28 manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses
58.29 or threatens to use the dangerous weapon to cause the complainant to submit;

58.30 (c) the actor causes personal injury to the complainant, and any of the following
58.31 circumstances exist:

59.1 (i) the actor uses coercion to accomplish the sexual contact;

59.2 (ii) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

59.3 (iii) the actor knows or has reason to know that the complainant is mentally impaired,
59.4 mentally incapacitated, or physically helpless;

59.5 (d) the actor is aided or abetted by one or more accomplices within the meaning of
59.6 section 609.05, and either of the following circumstances exists:

59.7 (i) the actor or an accomplice uses force or coercion to cause the complainant to submit;
59.8 or

59.9 (ii) the actor or an accomplice is armed with a dangerous weapon or any article used or
59.10 fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous
59.11 weapon and uses or threatens to use the weapon or article to cause the complainant to submit;

209.19 (e) the complainant is under 14 years of age and the actor is more than 36 months older
209.20 than the complainant. Neither mistake as to the complainant's age nor consent to the act by
209.21 the complainant is a defense. In a prosecution under this clause, the state is not required to
209.22 prove that the sexual contact was coerced;

209.23 (f) the complainant is at least 14 but less than 16 years of age and the actor is more than
209.24 36 months older than the complainant and in a current or recent position of authority over
209.25 the complainant. Neither mistake as to the complainant's age nor consent to the act by the
209.26 complainant is a defense;

209.27 (g) the complainant was under 16 years of age at the time of the sexual contact and the
209.28 actor has a significant relationship to the complainant. Neither mistake as to the complainant's
209.29 age nor consent to the act by the complainant is a defense;

209.30 (h) the actor has a significant relationship to the complainant, the complainant was under
209.31 16 years of age at the time of the sexual contact, and:

209.32 (i) the actor or an accomplice used force or coercion to accomplish the contact;

210.1 (ii) the complainant suffered personal injury; or

210.2 (iii) the sexual abuse involved multiple acts committed over an extended period of time.

210.3 Neither mistake as to the complainant's age nor consent to the act by the complainant is a
210.4 defense; or

210.5 (i) the actor uses force, as defined in section 609.341, subdivision 3, clause (1).

210.6 Subd. 2. **Penalty.** (a) Except as otherwise provided in section 609.3455; or Minnesota
210.7 Statutes 2004, section 609.109, a person convicted under subdivision 1 or subdivision 1a
210.8 may be sentenced to imprisonment for not more than 25 years or to a payment of a fine of
210.9 not more than \$35,000, or both.

210.10 (b) Unless a longer mandatory minimum sentence is otherwise required by law or the
210.11 Sentencing Guidelines provide for a longer presumptive executed sentence, the court shall
210.12 presume that an executed sentence of 90 months must be imposed on an offender convicted
210.13 of violating subdivision 1, clause (a), (b), (c), (d), or (e);-~~(f)~~; or subdivision 1a, clause (a),
210.14 (b), (c), (d), ~~or~~ (h), or (i). Sentencing a person in a manner other than that described in this
210.15 paragraph is a departure from the Sentencing Guidelines.

210.16 (c) A person convicted under this section is also subject to conditional release under
210.17 section 609.3455.

210.18 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
210.19 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision ~~1~~ 1a,
210.20 clause (g), the court may stay imposition or execution of the sentence if it finds that:

210.21 (a) a stay is in the best interest of the complainant or the family unit; and

59.12 (e) the complainant is under 14 years of age and the actor is more than 36 months older
59.13 than the complainant. Neither mistake as to the complainant's age nor consent to the act by
59.14 the complainant is a defense. In a prosecution under this clause, the state is not required to
59.15 prove that the sexual contact was coerced;

59.16 (f) the complainant is at least 14 but less than 16 years of age and the actor is more than
59.17 36 months older than the complainant and in a current or recent position of authority over
59.18 the complainant. Neither mistake as to the complainant's age nor consent to the act by the
59.19 complainant is a defense;

59.20 (g) the complainant was under 16 years of age at the time of the sexual contact and the
59.21 actor has a significant relationship to the complainant. Neither mistake as to the complainant's
59.22 age nor consent to the act by the complainant is a defense;

59.23 (h) the actor has a significant relationship to the complainant, the complainant was under
59.24 16 years of age at the time of the sexual contact, and:

59.25 (i) the actor or an accomplice used force or coercion to accomplish the contact;

59.26 (ii) the complainant suffered personal injury; or

59.27 (iii) the sexual abuse involved multiple acts committed over an extended period of time.

59.28 Neither mistake as to the complainant's age nor consent to the act by the complainant is a
59.29 defense; or

59.30 (i) the actor uses force, as defined in section 609.341, subdivision 3, clause (1).

60.1 Subd. 2. **Penalty.** (a) Except as otherwise provided in section 609.3455; or Minnesota
60.2 Statutes 2004, section 609.109, a person convicted under subdivision 1 or subdivision 1a
60.3 may be sentenced to imprisonment for not more than 25 years or to a payment of a fine of
60.4 not more than \$35,000, or both.

60.5 (b) Unless a longer mandatory minimum sentence is otherwise required by law or the
60.6 Sentencing Guidelines provide for a longer presumptive executed sentence, the court shall
60.7 presume that an executed sentence of 90 months must be imposed on an offender convicted
60.8 of violating subdivision 1, clause (a), (b), (c), (d), or (e);-~~(f)~~; or subdivision 1a, clause (a),
60.9 (b), (c), (d), ~~or~~ (h), or (i). Sentencing a person in a manner other than that described in this
60.10 paragraph is a departure from the Sentencing Guidelines.

60.11 (c) A person convicted under this section is also subject to conditional release under
60.12 section 609.3455.

60.13 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
60.14 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision ~~1~~ 1a,
60.15 clause (g), the court may stay imposition or execution of the sentence if it finds that:

60.16 (a) a stay is in the best interest of the complainant or the family unit; and

210.22 (b) a professional assessment indicates that the offender has been accepted by and can
210.23 respond to a treatment program.

210.24 If the court stays imposition or execution of sentence, it shall include the following as
210.25 conditions of probation:

210.26 (1) incarceration in a local jail or workhouse;

210.27 (2) a requirement that the offender complete a treatment program; and

210.28 (3) a requirement that the offender have no unsupervised contact with the complainant
210.29 until the offender has successfully completed the treatment program unless approved by
210.30 the treatment program and the supervising correctional agent.

211.1 Sec. 15. Minnesota Statutes 2020, section 609.344, is amended to read:

211.2 **609.344 CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE.**

211.3 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual penetration
211.4 with another person is guilty of criminal sexual conduct in the third degree if any of the
211.5 following circumstances exists:

211.6 ~~(a) the complainant is under 13 years of age and the actor is no more than 36 months~~
211.7 ~~older than the complainant. Neither mistake as to the complainant's age nor consent to the~~
211.8 ~~act by the complainant shall be a defense;~~

211.9 ~~(b) the complainant is at least 13 but less than 16 years of age and the actor is more than~~
211.10 ~~24 months older than the complainant. In any such case if the actor is no more than 120~~
211.11 ~~months older than the complainant, it shall be an affirmative defense, which must be proved~~
211.12 ~~by a preponderance of the evidence, that the actor reasonably believes the complainant to~~
211.13 ~~be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not~~
211.14 ~~be a defense. Consent by the complainant is not a defense;~~

211.15 ~~(e) (a) the actor uses force or coercion to accomplish the penetration;~~

211.16 ~~(f) (b) the actor knows or has reason to know that the complainant is mentally impaired,~~
211.17 ~~mentally incapacitated, or physically helpless;~~

211.18 ~~(c) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or~~

211.19 ~~(d) at the time of the act, the actor is in a prohibited occupational relationship with the~~
211.20 ~~complainant.~~

211.21 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in sexual
211.22 penetration with anyone under 18 years of age is guilty of criminal sexual conduct in the
211.23 third degree if any of the following circumstances exists:

60.17 (b) a professional assessment indicates that the offender has been accepted by and can
60.18 respond to a treatment program.

60.19 If the court stays imposition or execution of sentence, it shall include the following as
60.20 conditions of probation:

60.21 (1) incarceration in a local jail or workhouse;

60.22 (2) a requirement that the offender complete a treatment program; and

60.23 (3) a requirement that the offender have no unsupervised contact with the complainant
60.24 until the offender has successfully completed the treatment program unless approved by
60.25 the treatment program and the supervising correctional agent.

60.26 Sec. 16. Minnesota Statutes 2020, section 609.344, is amended to read:

60.27 **609.344 CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE.**

60.28 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual penetration
60.29 with another person is guilty of criminal sexual conduct in the third degree if any of the
60.30 following circumstances exists:

61.1 ~~(a) the complainant is under 13 years of age and the actor is no more than 36 months~~
61.2 ~~older than the complainant. Neither mistake as to the complainant's age nor consent to the~~
61.3 ~~act by the complainant shall be a defense;~~

61.4 ~~(b) the complainant is at least 13 but less than 16 years of age and the actor is more than~~
61.5 ~~24 months older than the complainant. In any such case if the actor is no more than 120~~
61.6 ~~months older than the complainant, it shall be an affirmative defense, which must be proved~~
61.7 ~~by a preponderance of the evidence, that the actor reasonably believes the complainant to~~
61.8 ~~be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not~~
61.9 ~~be a defense. Consent by the complainant is not a defense;~~

61.10 ~~(e) (a) the actor uses force or coercion to accomplish the penetration;~~

61.11 ~~(f) (b) the actor knows or has reason to know that the complainant is mentally impaired,~~
61.12 ~~mentally incapacitated, or physically helpless;~~

61.13 ~~(c) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or~~

61.14 ~~(d) at the time of the act, the actor is in a prohibited occupational relationship with the~~
61.15 ~~complainant.~~

61.16 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in sexual
61.17 penetration with anyone under 18 years of age is guilty of criminal sexual conduct in the
61.18 third degree if any of the following circumstances exists:

211.24 (a) the complainant is under 14 years of age and the actor is no more than 36 months
211.25 older than the complainant. Neither mistake as to the complainant's age nor consent to the
211.26 act by the complainant shall be a defense;

211.27 (b) the complainant is at least 14 but less than 16 years of age and the actor is more than
211.28 36 months older than the complainant. In any such case if the actor is no more than 60
211.29 months older than the complainant, it shall be an affirmative defense, which must be proved
211.30 by a preponderance of the evidence, that the actor reasonably believes the complainant to
211.31 be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not
211.32 be a defense. Consent by the complainant is not a defense;

212.1 (c) the actor uses coercion to accomplish the penetration;

212.2 (d) the actor knows or has reason to know that the complainant is mentally impaired,
212.3 mentally incapacitated, or physically helpless;

212.4 (e) the complainant is at least 16 but less than 18 years of age and the actor is more than
212.5 ~~48~~ 36 months older than the complainant and in a current or recent position of authority
212.6 over the complainant. Neither mistake as to the complainant's age nor consent to the act by
212.7 the complainant is a defense;

212.8 (f) the actor has a significant relationship to the complainant and the complainant was
212.9 at least 16 but under 18 years of age at the time of the sexual penetration. Neither mistake
212.10 as to the complainant's age nor consent to the act by the complainant is a defense;

212.11 (g) the actor has a significant relationship to the complainant, the complainant was at
212.12 least 16 but under 18 years of age at the time of the sexual penetration, and:

212.13 (i) the actor or an accomplice used force or coercion to accomplish the penetration;

212.14 (ii) the complainant suffered personal injury; or

212.15 (iii) the sexual abuse involved multiple acts committed over an extended period of time.

212.16 Neither mistake as to the complainant's age nor consent to the act by the complainant is
212.17 a defense;

212.18 (h) ~~the actor is a psychotherapist and the complainant is a patient of the psychotherapist~~
212.19 ~~and the sexual penetration occurred:~~ the actor uses force, as defined in section 609.341,
212.20 subdivision 3, clause (2); or

212.21 (i) at the time of the act, the actor is in a prohibited occupational relationship with the
212.22 complainant.

212.23 (i) ~~during the psychotherapy session; or~~

212.24 (ii) outside the psychotherapy session if an ongoing psychotherapist-patient relationship
212.25 exists.

61.19 (a) the complainant is under 14 years of age and the actor is no more than 36 months
61.20 older than the complainant. Neither mistake as to the complainant's age nor consent to the
61.21 act by the complainant shall be a defense;

61.22 (b) the complainant is at least 14 but less than 16 years of age and the actor is more than
61.23 36 months older than the complainant. In any such case if the actor is no more than 60
61.24 months older than the complainant, it shall be an affirmative defense, which must be proved
61.25 by a preponderance of the evidence, that the actor reasonably believes the complainant to
61.26 be 16 years of age or older. In all other cases, mistake as to the complainant's age shall not
61.27 be a defense. Consent by the complainant is not a defense;

61.28 (c) the actor uses coercion to accomplish the penetration;

61.29 (d) the actor knows or has reason to know that the complainant is mentally impaired,
61.30 mentally incapacitated, or physically helpless;

61.31 (e) the complainant is at least 16 but less than 18 years of age and the actor is more than
61.32 ~~48~~ 36 months older than the complainant and in a current or recent position of authority
62.1 over the complainant. Neither mistake as to the complainant's age nor consent to the act by
62.2 the complainant is a defense;

62.3 (f) the actor has a significant relationship to the complainant and the complainant was
62.4 at least 16 but under 18 years of age at the time of the sexual penetration. Neither mistake
62.5 as to the complainant's age nor consent to the act by the complainant is a defense;

62.6 (g) the actor has a significant relationship to the complainant, the complainant was at
62.7 least 16 but under 18 years of age at the time of the sexual penetration, and:

62.8 (i) the actor or an accomplice used force or coercion to accomplish the penetration;

62.9 (ii) the complainant suffered personal injury; or

62.10 (iii) the sexual abuse involved multiple acts committed over an extended period of time.

62.11 Neither mistake as to the complainant's age nor consent to the act by the complainant is
62.12 a defense;

62.13 (h) ~~the actor is a psychotherapist and the complainant is a patient of the psychotherapist~~
62.14 ~~and the sexual penetration occurred:~~ the actor uses force, as defined in section 609.341,
62.15 subdivision 3, clause (2); or

62.16 (i) at the time of the act, the actor is in a prohibited occupational relationship with the
62.17 complainant.

62.18 (i) ~~during the psychotherapy session; or~~

62.19 (ii) outside the psychotherapy session if an ongoing psychotherapist-patient relationship
62.20 exists.

212.26 Consent by the complainant is not a defense;

212.27 (i) the actor is a psychotherapist and the complainant is a former patient of the
212.28 psychotherapist and the former patient is emotionally dependent upon the psychotherapist;

212.29 (j) the actor is a psychotherapist and the complainant is a patient or former patient and
212.30 the sexual penetration occurred by means of therapeutic deception. Consent by the
212.31 complainant is not a defense;

213.1 (k) the actor accomplishes the sexual penetration by means of deception or false
213.2 representation that the penetration is for a bona fide medical purpose. Consent by the
213.3 complainant is not a defense;

213.4 (l) the actor is or purports to be a member of the clergy, the complainant is not married
213.5 to the actor, and:

213.6 (i) the sexual penetration occurred during the course of a meeting in which the
213.7 complainant sought or received religious or spiritual advice, aid, or comfort from the actor
213.8 in private; or

213.9 (ii) the sexual penetration occurred during a period of time in which the complainant
213.10 was meeting on an ongoing basis with the actor to seek or receive religious or spiritual
213.11 advice, aid, or comfort in private. Consent by the complainant is not a defense;

213.12 (m) the actor is an employee, independent contractor, or volunteer of a state, county,
213.13 city, or privately operated adult or juvenile correctional system, or secure treatment facility,
213.14 or treatment facility providing services to clients civilly committed as mentally ill and
213.15 dangerous, sexually dangerous persons, or sexual psychopathic personalities, including, but
213.16 not limited to, jails, prisons, detention centers, or work release facilities, and the complainant
213.17 is a resident of a facility or under supervision of the correctional system. Consent by the
213.18 complainant is not a defense;

213.19 (n) the actor provides or is an agent of an entity that provides special transportation
213.20 service, the complainant used the special transportation service, and the sexual penetration
213.21 occurred during or immediately before or after the actor transported the complainant. Consent
213.22 by the complainant is not a defense;

213.23 (o) the actor performs massage or other bodywork for hire, the complainant was a user
213.24 of one of those services, and nonconsensual sexual penetration occurred during or
213.25 immediately before or after the actor performed or was hired to perform one of those services
213.26 for the complainant; or

213.27 (p) the actor is a peace officer, as defined in section 626.84, and the officer physically
213.28 or constructively restrains the complainant or the complainant does not reasonably feel free
213.29 to leave the officer's presence. Consent by the complainant is not a defense. This paragraph
213.30 does not apply to any penetration of the mouth, genitals, or anus during a lawful search.

62.21 Consent by the complainant is not a defense;

62.22 (i) the actor is a psychotherapist and the complainant is a former patient of the
62.23 psychotherapist and the former patient is emotionally dependent upon the psychotherapist;

62.24 (j) the actor is a psychotherapist and the complainant is a patient or former patient and
62.25 the sexual penetration occurred by means of therapeutic deception. Consent by the
62.26 complainant is not a defense;

62.27 (k) the actor accomplishes the sexual penetration by means of deception or false
62.28 representation that the penetration is for a bona fide medical purpose. Consent by the
62.29 complainant is not a defense;

62.30 (l) the actor is or purports to be a member of the clergy, the complainant is not married
62.31 to the actor, and:

63.1 (i) the sexual penetration occurred during the course of a meeting in which the
63.2 complainant sought or received religious or spiritual advice, aid, or comfort from the actor
63.3 in private; or

63.4 (ii) the sexual penetration occurred during a period of time in which the complainant
63.5 was meeting on an ongoing basis with the actor to seek or receive religious or spiritual
63.6 advice, aid, or comfort in private. Consent by the complainant is not a defense;

63.7 (m) the actor is an employee, independent contractor, or volunteer of a state, county,
63.8 city, or privately operated adult or juvenile correctional system, or secure treatment facility,
63.9 or treatment facility providing services to clients civilly committed as mentally ill and
63.10 dangerous, sexually dangerous persons, or sexual psychopathic personalities, including, but
63.11 not limited to, jails, prisons, detention centers, or work release facilities, and the complainant
63.12 is a resident of a facility or under supervision of the correctional system. Consent by the
63.13 complainant is not a defense;

63.14 (n) the actor provides or is an agent of an entity that provides special transportation
63.15 service, the complainant used the special transportation service, and the sexual penetration
63.16 occurred during or immediately before or after the actor transported the complainant. Consent
63.17 by the complainant is not a defense;

63.18 (o) the actor performs massage or other bodywork for hire, the complainant was a user
63.19 of one of those services, and nonconsensual sexual penetration occurred during or
63.20 immediately before or after the actor performed or was hired to perform one of those services
63.21 for the complainant; or

63.22 (p) the actor is a peace officer, as defined in section 626.84, and the officer physically
63.23 or constructively restrains the complainant or the complainant does not reasonably feel free
63.24 to leave the officer's presence. Consent by the complainant is not a defense. This paragraph
63.25 does not apply to any penetration of the mouth, genitals, or anus during a lawful search.

213.31 Subd. 2. **Penalty.** Except as otherwise provided in section 609.3455, a person convicted
213.32 under subdivision 1 or subdivision 1a may be sentenced:

214.1 (1) to imprisonment for not more than 15 years or to a payment of a fine of not more
214.2 than \$30,000, or both; or

214.3 (2) if the person was convicted under subdivision ± 1a, paragraph (b), and if the actor
214.4 was no more than 48 months but more than 24 months older than the complainant, to
214.5 imprisonment for not more than five years or a fine of not more than \$30,000, or both.

214.6 A person convicted under this section is also subject to conditional release under section
214.7 609.3455.

214.8 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
214.9 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision ± 1a,
214.10 clause (f), the court may stay imposition or execution of the sentence if it finds that:

214.11 (a) a stay is in the best interest of the complainant or the family unit; and

214.12 (b) a professional assessment indicates that the offender has been accepted by and can
214.13 respond to a treatment program.

214.14 If the court stays imposition or execution of sentence, it shall include the following as
214.15 conditions of probation:

214.16 (1) incarceration in a local jail or workhouse;

214.17 (2) a requirement that the offender complete a treatment program; and

214.18 (3) a requirement that the offender have no unsupervised contact with the complainant
214.19 until the offender has successfully completed the treatment program unless approved by
214.20 the treatment program and the supervising correctional agent.

214.21 Sec. 16. Minnesota Statutes 2020, section 609.345, is amended to read:

214.22 **609.345 CRIMINAL SEXUAL CONDUCT IN THE FOURTH DEGREE.**

214.23 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual contact
214.24 with another person is guilty of criminal sexual conduct in the fourth degree if any of the
214.25 following circumstances exists:

214.26 ~~(a) the complainant is under 13 years of age and the actor is no more than 36 months~~
214.27 ~~older than the complainant. Neither mistake as to the complainant's age or consent to the~~
214.28 ~~act by the complainant is a defense. In a prosecution under this clause, the state is not~~
214.29 ~~required to prove that the sexual contact was coerced;~~

214.30 ~~(b) the complainant is at least 13 but less than 16 years of age and the actor is more than~~
214.31 ~~48 months older than the complainant or in a current or recent position of authority over~~
215.1 ~~the complainant. Consent by the complainant to the act is not a defense. In any such case,~~
215.2 ~~if the actor is no more than 120 months older than the complainant, it shall be an affirmative~~

63.26 Subd. 2. **Penalty.** Except as otherwise provided in section 609.3455, a person convicted
63.27 under subdivision 1 or subdivision 1a may be sentenced:

63.28 (1) to imprisonment for not more than 15 years or to a payment of a fine of not more
63.29 than \$30,000, or both; or

63.30 (2) if the person was convicted under subdivision ± 1a, paragraph (b), and if the actor
63.31 was no more than 48 months but more than 24 months older than the complainant, to
63.32 imprisonment for not more than five years or a fine of not more than \$30,000, or both.

64.1 A person convicted under this section is also subject to conditional release under section
64.2 609.3455.

64.3 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
64.4 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision ± 1a,
64.5 clause (f), the court may stay imposition or execution of the sentence if it finds that:

64.6 (a) a stay is in the best interest of the complainant or the family unit; and

64.7 (b) a professional assessment indicates that the offender has been accepted by and can
64.8 respond to a treatment program.

64.9 If the court stays imposition or execution of sentence, it shall include the following as
64.10 conditions of probation:

64.11 (1) incarceration in a local jail or workhouse;

64.12 (2) a requirement that the offender complete a treatment program; and

64.13 (3) a requirement that the offender have no unsupervised contact with the complainant
64.14 until the offender has successfully completed the treatment program unless approved by
64.15 the treatment program and the supervising correctional agent.

64.16 Sec. 17. Minnesota Statutes 2020, section 609.345, is amended to read:

64.17 **609.345 CRIMINAL SEXUAL CONDUCT IN THE FOURTH DEGREE.**

64.18 Subdivision 1. **Adult victim; crime defined.** A person who engages in sexual contact
64.19 with another person is guilty of criminal sexual conduct in the fourth degree if any of the
64.20 following circumstances exists:

64.21 ~~(a) the complainant is under 13 years of age and the actor is no more than 36 months~~
64.22 ~~older than the complainant. Neither mistake as to the complainant's age or consent to the~~
64.23 ~~act by the complainant is a defense. In a prosecution under this clause, the state is not~~
64.24 ~~required to prove that the sexual contact was coerced;~~

64.25 ~~(b) the complainant is at least 13 but less than 16 years of age and the actor is more than~~
64.26 ~~48 months older than the complainant or in a current or recent position of authority over~~
64.27 ~~the complainant. Consent by the complainant to the act is not a defense. In any such case,~~
64.28 ~~if the actor is no more than 120 months older than the complainant, it shall be an affirmative~~

215.3 ~~defense which must be proved by a preponderance of the evidence that the actor reasonably~~
215.4 ~~believes the complainant to be 16 years of age or older. In all other cases, mistake as to the~~
215.5 ~~complainant's age shall not be a defense;~~

215.6 ~~(a)~~ (a) the actor uses ~~force or~~ coercion to accomplish the sexual contact;

215.7 ~~(b)~~ (b) the actor knows or has reason to know that the complainant is mentally impaired,
215.8 mentally incapacitated, or physically helpless;

215.9 (c) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

215.10 (d) at the time of the act, the actor is in a prohibited occupational relationship with the
215.11 complainant.

215.12 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in sexual
215.13 contact with anyone under 18 years of age is guilty of criminal sexual conduct in the fourth
215.14 degree if any of the following circumstances exists:

215.15 (a) the complainant is under 14 years of age and the actor is no more than 36 months
215.16 older than the complainant. Neither mistake as to the complainant's age or consent to the
215.17 act by the complainant is a defense. In a prosecution under this clause, the state is not
215.18 required to prove that the sexual contact was coerced;

215.19 (b) the complainant is at least 14 but less than 16 years of age and the actor is more than
215.20 36 months older than the complainant or in a current or recent position of authority over
215.21 the complainant. Consent by the complainant to the act is not a defense.

215.22 Mistake of age is not a defense unless actor is less than 60 months older. In any such case,
215.23 if the actor is no more than 60 months older than the complainant, it shall be an affirmative
215.24 defense which must be proved by a preponderance of the evidence that the actor reasonably
215.25 believes the complainant to be 16 years of age or older. In all other cases, mistake as to the
215.26 complainant's age shall not be a defense;

215.27 (c) the actor uses coercion to accomplish the sexual contact;

215.28 (d) The actor knows or has reason to know that the complainant is mentally impaired,
215.29 mentally incapacitated, or physically helpless;

215.30 (e) the complainant is at least 16 but less than 18 years of age and the actor is more than
215.31 ~~48~~ 36 months older than the complainant and in a current or recent position of authority
216.1 over the complainant. Neither mistake as to the complainant's age nor consent to the act by
216.2 the complainant is a defense;

216.3 (f) the actor has a significant relationship to the complainant and the complainant was
216.4 at least 16 but under 18 years of age at the time of the sexual contact. Neither mistake as to
216.5 the complainant's age nor consent to the act by the complainant is a defense;

216.6 (g) the actor has a significant relationship to the complainant, the complainant was at
216.7 least 16 but under 18 years of age at the time of the sexual contact, and:

64.29 ~~defense which must be proved by a preponderance of the evidence that the actor reasonably~~
64.30 ~~believes the complainant to be 16 years of age or older. In all other cases, mistake as to the~~
64.31 ~~complainant's age shall not be a defense;~~

65.1 ~~(a)~~ (a) the actor uses ~~force or~~ coercion to accomplish the sexual contact;

65.2 ~~(b)~~ (b) the actor knows or has reason to know that the complainant is mentally impaired,
65.3 mentally incapacitated, or physically helpless;

65.4 (c) the actor uses force, as defined in section 609.341, subdivision 3, clause (2); or

65.5 (d) at the time of the act, the actor is in a prohibited occupational relationship with the
65.6 complainant.

65.7 Subd. 1a. **Victim under the age of 18; crime defined.** A person who engages in sexual
65.8 contact with anyone under 18 years of age is guilty of criminal sexual conduct in the fourth
65.9 degree if any of the following circumstances exists:

65.10 (a) the complainant is under 14 years of age and the actor is no more than 36 months
65.11 older than the complainant. Neither mistake as to the complainant's age or consent to the
65.12 act by the complainant is a defense. In a prosecution under this clause, the state is not
65.13 required to prove that the sexual contact was coerced;

65.14 (b) the complainant is at least 14 but less than 16 years of age and the actor is more than
65.15 36 months older than the complainant or in a current or recent position of authority over
65.16 the complainant. Consent by the complainant to the act is not a defense.

65.17 Mistake of age is not a defense unless actor is less than 60 months older. In any such case,
65.18 if the actor is no more than 60 months older than the complainant, it shall be an affirmative
65.19 defense which must be proved by a preponderance of the evidence that the actor reasonably
65.20 believes the complainant to be 16 years of age or older. In all other cases, mistake as to the
65.21 complainant's age shall not be a defense;

65.22 (c) the actor uses coercion to accomplish the sexual contact;

65.23 (d) The actor knows or has reason to know that the complainant is mentally impaired,
65.24 mentally incapacitated, or physically helpless;

65.25 (e) the complainant is at least 16 but less than 18 years of age and the actor is more than
65.26 ~~48~~ 36 months older than the complainant and in a current or recent position of authority
65.27 over the complainant. Neither mistake as to the complainant's age nor consent to the act by
65.28 the complainant is a defense;

65.29 (f) the actor has a significant relationship to the complainant and the complainant was
65.30 at least 16 but under 18 years of age at the time of the sexual contact. Neither mistake as to
65.31 the complainant's age nor consent to the act by the complainant is a defense;

66.1 (g) the actor has a significant relationship to the complainant, the complainant was at
66.2 least 16 but under 18 years of age at the time of the sexual contact, and:

216.8 (i) the actor or an accomplice used force or coercion to accomplish the contact;
216.9 (ii) the complainant suffered personal injury; or
216.10 (iii) the sexual abuse involved multiple acts committed over an extended period of time.
216.11 Neither mistake as to the complainant's age nor consent to the act by the complainant is
216.12 a defense;
216.13 ~~(h) the actor is a psychotherapist and the complainant is a patient of the psychotherapist~~
216.14 ~~and the sexual contact occurred: the actor uses force, as defined in section 609.341,~~
216.15 ~~subdivision 3, clause (2); or~~
216.16 (i) at the time of the act, the actor is in a prohibited occupational relationship with the
216.17 complainant.
216.18 ~~(i) during the psychotherapy session; or~~
216.19 ~~(ii) outside the psychotherapy session if an ongoing psychotherapist-patient relationship~~
216.20 ~~exists. Consent by the complainant is not a defense;~~
216.21 (i) the actor is a psychotherapist and the complainant is a former patient of the
216.22 psychotherapist and the former patient is emotionally dependent upon the psychotherapist;
216.23 (j) the actor is a psychotherapist and the complainant is a patient or former patient and
216.24 the sexual contact occurred by means of therapeutic deception. Consent by the complainant
216.25 is not a defense;
216.26 (k) the actor accomplishes the sexual contact by means of deception or false representation
216.27 that the contact is for a bona fide medical purpose. Consent by the complainant is not a
216.28 defense;
216.29 (l) the actor is or purports to be a member of the clergy, the complainant is not married
216.30 to the actor, and:
217.1 (i) the sexual contact occurred during the course of a meeting in which the complainant
217.2 sought or received religious or spiritual advice, aid, or comfort from the actor in private; or
217.3 (ii) the sexual contact occurred during a period of time in which the complainant was
217.4 meeting on an ongoing basis with the actor to seek or receive religious or spiritual advice,
217.5 aid, or comfort in private. Consent by the complainant is not a defense;
217.6 (m) the actor is an employee, independent contractor, or volunteer of a state, county,
217.7 city, or privately operated adult or juvenile correctional system, or secure treatment facility,
217.8 or treatment facility providing services to clients civilly committed as mentally ill and
217.9 dangerous, sexually dangerous persons, or sexual psychopathic personalities, including, but
217.10 not limited to, jails, prisons, detention centers, or work release facilities, and the complainant

66.3 (i) the actor or an accomplice used force or coercion to accomplish the contact;
66.4 (ii) the complainant suffered personal injury; or
66.5 (iii) the sexual abuse involved multiple acts committed over an extended period of time.
66.6 Neither mistake as to the complainant's age nor consent to the act by the complainant is
66.7 a defense;
66.8 ~~(h) the actor is a psychotherapist and the complainant is a patient of the psychotherapist~~
66.9 ~~and the sexual contact occurred: the actor uses force, as defined in section 609.341,~~
66.10 ~~subdivision 3, clause (2); or~~
66.11 (i) at the time of the act, the actor is in a prohibited occupational relationship with the
66.12 complainant.
66.13 ~~(i) during the psychotherapy session; or~~
66.14 ~~(ii) outside the psychotherapy session if an ongoing psychotherapist-patient relationship~~
66.15 ~~exists. Consent by the complainant is not a defense;~~
66.16 (i) the actor is a psychotherapist and the complainant is a former patient of the
66.17 psychotherapist and the former patient is emotionally dependent upon the psychotherapist;
66.18 (j) the actor is a psychotherapist and the complainant is a patient or former patient and
66.19 the sexual contact occurred by means of therapeutic deception. Consent by the complainant
66.20 is not a defense;
66.21 (k) the actor accomplishes the sexual contact by means of deception or false representation
66.22 that the contact is for a bona fide medical purpose. Consent by the complainant is not a
66.23 defense;
66.24 (l) the actor is or purports to be a member of the clergy, the complainant is not married
66.25 to the actor, and:
66.26 (i) the sexual contact occurred during the course of a meeting in which the complainant
66.27 sought or received religious or spiritual advice, aid, or comfort from the actor in private; or
66.28 (ii) the sexual contact occurred during a period of time in which the complainant was
66.29 meeting on an ongoing basis with the actor to seek or receive religious or spiritual advice,
66.30 aid, or comfort in private. Consent by the complainant is not a defense;
67.1 (m) the actor is an employee, independent contractor, or volunteer of a state, county,
67.2 city, or privately operated adult or juvenile correctional system, or secure treatment facility,
67.3 or treatment facility providing services to clients civilly committed as mentally ill and
67.4 dangerous, sexually dangerous persons, or sexual psychopathic personalities, including, but
67.5 not limited to, jails, prisons, detention centers, or work release facilities, and the complainant

217.11 is a resident of a facility or under supervision of the correctional system. Consent by the
217.12 complainant is not a defense;

217.13 ~~(n) the actor provides or is an agent of an entity that provides special transportation~~
217.14 ~~service, the complainant used the special transportation service, the complainant is not~~
217.15 ~~married to the actor, and the sexual contact occurred during or immediately before or after~~
217.16 ~~the actor transported the complainant. Consent by the complainant is not a defense;~~

217.17 ~~(e) the actor performs massage or other bodywork for hire, the complainant was a user~~
217.18 ~~of one of those services, and nonconsensual sexual contact occurred during or immediately~~
217.19 ~~before or after the actor performed or was hired to perform one of those services for the~~
217.20 ~~complainant; or~~

217.21 ~~(p) the actor is a peace officer, as defined in section 626.84, and the officer physically~~
217.22 ~~or constructively restrains the complainant or the complainant does not reasonably feel free~~
217.23 ~~to leave the officer's presence. Consent by the complainant is not a defense.~~

217.24 Subd. 2. **Penalty.** Except as otherwise provided in section 609.3455, a person convicted
217.25 under subdivision 1 or subdivision 1a may be sentenced to imprisonment for not more than
217.26 ten years or to a payment of a fine of not more than \$20,000, or both. A person convicted
217.27 under this section is also subject to conditional release under section 609.3455.

217.28 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
217.29 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision ± 1a,
217.30 clause (f), the court may stay imposition or execution of the sentence if it finds that:

217.31 (a) a stay is in the best interest of the complainant or the family unit; and
217.32 (b) a professional assessment indicates that the offender has been accepted by and can
217.33 respond to a treatment program.

218.1 If the court stays imposition or execution of sentence, it shall include the following as
218.2 conditions of probation:

218.3 (1) incarceration in a local jail or workhouse;
218.4 (2) a requirement that the offender complete a treatment program; and
218.5 (3) a requirement that the offender have no unsupervised contact with the complainant
218.6 until the offender has successfully completed the treatment program unless approved by
218.7 the treatment program and the supervising correctional agent.

218.8 Sec. 17. Minnesota Statutes 2020, section 609.3451, is amended to read:
218.9 **609.3451 CRIMINAL SEXUAL CONDUCT IN THE FIFTH DEGREE.**

218.10 Subdivision 1. **Sexual penetration; crime defined.** A person is guilty of criminal sexual
218.11 conduct in the fifth degree: if the person engages in nonconsensual sexual penetration.

67.6 is a resident of a facility or under supervision of the correctional system. Consent by the
67.7 complainant is not a defense;

67.8 ~~(n) the actor provides or is an agent of an entity that provides special transportation~~
67.9 ~~service, the complainant used the special transportation service, the complainant is not~~
67.10 ~~married to the actor, and the sexual contact occurred during or immediately before or after~~
67.11 ~~the actor transported the complainant. Consent by the complainant is not a defense;~~

67.12 ~~(e) the actor performs massage or other bodywork for hire, the complainant was a user~~
67.13 ~~of one of those services, and nonconsensual sexual contact occurred during or immediately~~
67.14 ~~before or after the actor performed or was hired to perform one of those services for the~~
67.15 ~~complainant; or~~

67.16 ~~(p) the actor is a peace officer, as defined in section 626.84, and the officer physically~~
67.17 ~~or constructively restrains the complainant or the complainant does not reasonably feel free~~
67.18 ~~to leave the officer's presence. Consent by the complainant is not a defense.~~

67.19 Subd. 2. **Penalty.** Except as otherwise provided in section 609.3455, a person convicted
67.20 under subdivision 1 or subdivision 1a may be sentenced to imprisonment for not more than
67.21 ten years or to a payment of a fine of not more than \$20,000, or both. A person convicted
67.22 under this section is also subject to conditional release under section 609.3455.

67.23 Subd. 3. **Stay.** Except when imprisonment is required under section 609.3455; or
67.24 Minnesota Statutes 2004, section 609.109, if a person is convicted under subdivision ± 1a,
67.25 clause (f), the court may stay imposition or execution of the sentence if it finds that:

67.26 (a) a stay is in the best interest of the complainant or the family unit; and
67.27 (b) a professional assessment indicates that the offender has been accepted by and can
67.28 respond to a treatment program.

67.29 If the court stays imposition or execution of sentence, it shall include the following as
67.30 conditions of probation:

67.31 (1) incarceration in a local jail or workhouse;
67.32 (2) a requirement that the offender complete a treatment program; and
68.1 (3) a requirement that the offender have no unsupervised contact with the complainant
68.2 until the offender has successfully completed the treatment program unless approved by
68.3 the treatment program and the supervising correctional agent.

68.4 Sec. 18. Minnesota Statutes 2020, section 609.3451, is amended to read:
68.5 **609.3451 CRIMINAL SEXUAL CONDUCT IN THE FIFTH DEGREE.**

68.6 Subdivision 1. **Sexual penetration; crime defined.** A person is guilty of criminal sexual
68.7 conduct in the fifth degree: if the person engages in nonconsensual sexual penetration.

218.12 Subd. 1a. **Sexual contact; child present; crime defined.** A person is guilty of criminal
218.13 sexual conduct in the fifth degree if:

218.14 (1) ~~if~~ the person engages in nonconsensual sexual contact; or

218.15 (2) the person engages in masturbation or lewd exhibition of the genitals in the presence
218.16 of a minor under the age of 16, knowing or having reason to know the minor is present.

218.17 For purposes of this section, "sexual contact" has the meaning given in section 609.341,
218.18 subdivision 11, paragraph (a), clauses (i), (iv), and (v). Sexual contact also includes the
218.19 intentional removal or attempted removal of clothing covering the complainant's intimate
218.20 parts or undergarments, and the nonconsensual touching by the complainant of the actor's
218.21 intimate parts, effected by the actor, if the action is performed with sexual or aggressive
218.22 intent.

218.23 Subd. 2. **Gross misdemeanor.** A person convicted under subdivision ~~+~~ 1a may be
218.24 sentenced to imprisonment for not more than one year or to a payment of a fine of not more
218.25 than \$3,000, or both.

218.26 Subd. 3. **Felony.** (a) A person is guilty of a felony and may be sentenced to imprisonment
218.27 for not more than two years or to payment of a fine of not more than \$10,000, or both, if
218.28 the person violates subdivision 1.

218.29 (b) A person is guilty of a felony and may be sentenced to imprisonment for not more
218.30 than seven years or to payment of a fine of not more than \$14,000, or both, if the person
218.31 violates ~~this section~~ subdivision 1 or 1a within ~~seven~~ ten years of:

219.1 (1) conviction or adjudication under subdivision 1; or

219.2 (2) a previous conviction or adjudication for violating subdivision ~~+~~ 1a, clause (2), a
219.3 crime described in paragraph (b); or a statute from another state in conformity with any of
219.4 these offenses; or

219.5 ~~(2)~~ (3) the first of two or more previous convictions for violating subdivision ~~+~~ 1a, clause
219.6 (1), or a statute from another state in conformity with this offense.

219.7 ~~(b)~~ (c) A previous conviction for violating section 609.342; 609.343; 609.344; 609.345;
219.8 609.3453; 617.23, subdivision 2, clause (2), or subdivision 3; or 617.247 may be used to
219.9 enhance a criminal penalty as provided in paragraph (a).

219.10 Sec. 18. Minnesota Statutes 2020, section 609.3455, is amended to read:

219.11 **609.3455 DANGEROUS SEX OFFENDERS; LIFE SENTENCES; CONDITIONAL**
219.12 **RELEASE.**

219.13 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
219.14 meanings given.

68.8 Subd. 1a. **Sexual contact; child present; crime defined.** A person is guilty of criminal
68.9 sexual conduct in the fifth degree if:

68.10 (1) ~~if~~ the person engages in nonconsensual sexual contact; or

68.11 (2) the person engages in masturbation or lewd exhibition of the genitals in the presence
68.12 of a minor under the age of 16, knowing or having reason to know the minor is present.

68.13 For purposes of this section, "sexual contact" has the meaning given in section 609.341,
68.14 subdivision 11, paragraph (a), clauses (i), (iv), and (v). Sexual contact also includes the
68.15 intentional removal or attempted removal of clothing covering the complainant's intimate
68.16 parts or undergarments, and the nonconsensual touching by the complainant of the actor's
68.17 intimate parts, effected by the actor, if the action is performed with sexual or aggressive
68.18 intent.

68.19 Subd. 2. **Gross misdemeanor.** A person convicted under subdivision ~~+~~ 1a may be
68.20 sentenced to imprisonment for not more than one year or to a payment of a fine of not more
68.21 than \$3,000, or both.

68.22 Subd. 3. **Felony.** (a) A person is guilty of a felony and may be sentenced to imprisonment
68.23 for not more than two years or to payment of a fine of not more than \$10,000, or both, if
68.24 the person violates subdivision 1.

68.25 (b) A person is guilty of a felony and may be sentenced to imprisonment for not more
68.26 than seven years or to payment of a fine of not more than \$14,000, or both, if the person
68.27 violates ~~this section~~ subdivision 1 or 1a within ~~seven~~ ten years of:

68.28 (1) conviction or adjudication under subdivision 1; or

68.29 (2) a previous conviction or adjudication for violating subdivision ~~+~~ 1a, clause (2), a
68.30 crime described in paragraph (b); or a statute from another state in conformity with any of
68.31 these offenses; or

69.1 ~~(2)~~ (3) the first of two or more previous convictions for violating subdivision ~~+~~ 1a, clause
69.2 (1), or a statute from another state in conformity with this offense.

69.3 ~~(b)~~ (c) A previous conviction for violating section 609.342; 609.343; 609.344; 609.345;
69.4 609.3453; 617.23, subdivision 2, clause (2), or subdivision 3; or 617.247 may be used to
69.5 enhance a criminal penalty as provided in paragraph (a).

69.6 Sec. 19. Minnesota Statutes 2020, section 609.3455, is amended to read:

69.7 **609.3455 DANGEROUS SEX OFFENDERS; LIFE SENTENCES; CONDITIONAL**
69.8 **RELEASE.**

69.9 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
69.10 meanings given.

219.15 (b) "Conviction" includes a conviction as an extended jurisdiction juvenile under section
219.16 260B.130 for a violation of, or an attempt to violate, section 609.342, 609.343, 609.344, ~~or~~
219.17 609.3453, or 609.3458, if the adult sentence has been executed.

219.18 (c) "Extreme inhumane conditions" mean situations where, either before or after the
219.19 sexual penetration or sexual contact, the offender knowingly causes or permits the
219.20 complainant to be placed in a situation likely to cause the complainant severe ongoing
219.21 mental, emotional, or psychological harm, or causes the complainant's death.

219.22 (d) A "heinous element" includes:

219.23 (1) the offender tortured the complainant;

219.24 (2) the offender intentionally inflicted great bodily harm upon the complainant;

219.25 (3) the offender intentionally mutilated the complainant;

219.26 (4) the offender exposed the complainant to extreme inhumane conditions;

219.27 (5) the offender was armed with a dangerous weapon or any article used or fashioned
219.28 in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and
219.29 used or threatened to use the weapon or article to cause the complainant to submit;

219.30 (6) the offense involved sexual penetration or sexual contact with more than one victim;

220.1 (7) the offense involved more than one perpetrator engaging in sexual penetration or
220.2 sexual contact with the complainant; or

220.3 (8) the offender, without the complainant's consent, removed the complainant from one
220.4 place to another and did not release the complainant in a safe place.

220.5 (e) "Mutilation" means the intentional infliction of physical abuse designed to cause
220.6 serious permanent disfigurement or permanent or protracted loss or impairment of the
220.7 functions of any bodily member or organ, where the offender relishes the infliction of the
220.8 abuse, evidencing debasement or perversion.

220.9 (f) A conviction is considered a "previous sex offense conviction" if the offender was
220.10 convicted and sentenced for a sex offense before the commission of the present offense.

220.11 (g) A conviction is considered a "prior sex offense conviction" if the offender was
220.12 convicted of committing a sex offense before the offender has been convicted of the present
220.13 offense, regardless of whether the offender was convicted for the first offense before the
220.14 commission of the present offense, and the convictions involved separate behavioral
220.15 incidents.

220.16 (h) "Sex offense" means any violation of, or attempt to violate, section 609.342, 609.343,
220.17 609.344, 609.345, 609.3451, 609.3453, 609.3458, or any similar statute of the United States,
220.18 this state, or any other state.

69.11 (b) "Conviction" includes a conviction as an extended jurisdiction juvenile under section
69.12 260B.130 for a violation of, or an attempt to violate, section 609.342, 609.343, 609.344, ~~or~~
69.13 609.3453, or 609.3458, if the adult sentence has been executed.

69.14 (c) "Extreme inhumane conditions" mean situations where, either before or after the
69.15 sexual penetration or sexual contact, the offender knowingly causes or permits the
69.16 complainant to be placed in a situation likely to cause the complainant severe ongoing
69.17 mental, emotional, or psychological harm, or causes the complainant's death.

69.18 (d) A "heinous element" includes:

69.19 (1) the offender tortured the complainant;

69.20 (2) the offender intentionally inflicted great bodily harm upon the complainant;

69.21 (3) the offender intentionally mutilated the complainant;

69.22 (4) the offender exposed the complainant to extreme inhumane conditions;

69.23 (5) the offender was armed with a dangerous weapon or any article used or fashioned
69.24 in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and
69.25 used or threatened to use the weapon or article to cause the complainant to submit;

69.26 (6) the offense involved sexual penetration or sexual contact with more than one victim;

69.27 (7) the offense involved more than one perpetrator engaging in sexual penetration or
69.28 sexual contact with the complainant; or

69.29 (8) the offender, without the complainant's consent, removed the complainant from one
69.30 place to another and did not release the complainant in a safe place.

70.1 (e) "Mutilation" means the intentional infliction of physical abuse designed to cause
70.2 serious permanent disfigurement or permanent or protracted loss or impairment of the
70.3 functions of any bodily member or organ, where the offender relishes the infliction of the
70.4 abuse, evidencing debasement or perversion.

70.5 (f) A conviction is considered a "previous sex offense conviction" if the offender was
70.6 convicted and sentenced for a sex offense before the commission of the present offense.

70.7 (g) A conviction is considered a "prior sex offense conviction" if the offender was
70.8 convicted of committing a sex offense before the offender has been convicted of the present
70.9 offense, regardless of whether the offender was convicted for the first offense before the
70.10 commission of the present offense, and the convictions involved separate behavioral
70.11 incidents.

70.12 (h) "Sex offense" means any violation of, or attempt to violate, section 609.342, 609.343,
70.13 609.344, 609.345, 609.3451, 609.3453, 609.3458, or any similar statute of the United States,
70.14 this state, or any other state.

220.19 (i) "Torture" means the intentional infliction of extreme mental anguish, or extreme
220.20 psychological or physical abuse, when committed in an especially depraved manner.

220.21 (j) An offender has "two previous sex offense convictions" only if the offender was
220.22 convicted and sentenced for a sex offense committed after the offender was earlier convicted
220.23 and sentenced for a sex offense and both convictions preceded the commission of the present
220.24 offense of conviction.

220.25 Subd. 2. **Mandatory life sentence without release; egregious first-time and repeat**
220.26 **offenders.** (a) Notwithstanding the statutory maximum penalty otherwise applicable to the
220.27 offense, the court shall sentence a person convicted under section 609.342, subdivision 1,
220.28 paragraph (a), (b), (c), (d), or (e); ~~(f); or (h);~~ or 609.342, subdivision 1a, clause (a), (b), (c),
220.29 (d), (h), or (i); 609.343, subdivision 1, paragraph (a), (b), (c), (d), or (e); ~~(f);~~ or ~~(h)~~ 609.343,
220.30 subdivision 1a, clause (a), (b), (c), (d), (h), or (i), to life without the possibility of release
220.31 if:

220.32 (1) the fact finder determines that two or more heinous elements exist; or

221.1 (2) the person has a previous sex offense conviction for a violation of section 609.342,
221.2 609.343, ~~or 609.344, or 609.3458,~~ and the fact finder determines that a heinous element
221.3 exists for the present offense.

221.4 (b) A fact finder may not consider a heinous element if it is an element of the underlying
221.5 specified violation of section 609.342 or 609.343. In addition, when determining whether
221.6 two or more heinous elements exist, the fact finder may not use the same underlying facts
221.7 to support a determination that more than one element exists.

221.8 Subd. 3. **Mandatory life sentence for egregious first-time offenders.** (a)
221.9 Notwithstanding the statutory maximum penalty otherwise applicable to the offense, the
221.10 court shall sentence a person to imprisonment for life if the person is convicted under section
221.11 609.342, subdivision 1, paragraph (a), (b), (c), (d), or (e); ~~(f); or (h);~~ or 609.342, subdivision
221.12 1a, clause (a), (b), (c), (d), (h), or (i); 609.343, subdivision 1, paragraph (a), (b), (c), (d), or
221.13 (e); ~~(f); or (h);~~ or 609.343, subdivision 1a, clause (a), (b), (c), (d), (h), or (i); and the fact
221.14 finder determines that a heinous element exists.

221.15 (b) The fact finder may not consider a heinous element if it is an element of the underlying
221.16 specified violation of section 609.342 or 609.343.

221.17 Subd. 3a. **Mandatory sentence for certain engrained offenders.** (a) A court shall
221.18 commit a person to the commissioner of corrections for a period of time that is not less than
221.19 double the presumptive sentence under the sentencing guidelines and not more than the
221.20 statutory maximum, or if the statutory maximum is less than double the presumptive sentence,
221.21 for a period of time that is equal to the statutory maximum, if:

221.22 (1) the court is imposing an executed sentence on a person convicted of committing or
221.23 attempting to commit a violation of section 609.342, 609.343, 609.344, 609.345, ~~or 609.3453,~~
221.24 or 609.3458;

70.15 (i) "Torture" means the intentional infliction of extreme mental anguish, or extreme
70.16 psychological or physical abuse, when committed in an especially depraved manner.

70.17 (j) An offender has "two previous sex offense convictions" only if the offender was
70.18 convicted and sentenced for a sex offense committed after the offender was earlier convicted
70.19 and sentenced for a sex offense and both convictions preceded the commission of the present
70.20 offense of conviction.

70.21 Subd. 2. **Mandatory life sentence without release; egregious first-time and repeat**
70.22 **offenders.** (a) Notwithstanding the statutory maximum penalty otherwise applicable to the
70.23 offense, the court shall sentence a person convicted under section 609.342, subdivision 1,
70.24 paragraph (a), (b), (c), (d), or (e); ~~(f); or (h);~~ or 609.342, subdivision 1a, clause (a), (b), (c),
70.25 (d), (h), or (i); 609.343, subdivision 1, paragraph (a), (b), (c), (d), or (e); ~~(f);~~ or ~~(h)~~ 609.343,
70.26 subdivision 1a, clause (a), (b), (c), (d), (h), or (i), to life without the possibility of release
70.27 if:

70.28 (1) the fact finder determines that two or more heinous elements exist; or

70.29 (2) the person has a previous sex offense conviction for a violation of section 609.342,
70.30 609.343, ~~or 609.344, or 609.3458,~~ and the fact finder determines that a heinous element
70.31 exists for the present offense.

70.32 (b) A fact finder may not consider a heinous element if it is an element of the underlying
70.33 specified violation of section 609.342 or 609.343. In addition, when determining whether
71.1 two or more heinous elements exist, the fact finder may not use the same underlying facts
71.2 to support a determination that more than one element exists.

71.3 Subd. 3. **Mandatory life sentence for egregious first-time offenders.** (a)
71.4 Notwithstanding the statutory maximum penalty otherwise applicable to the offense, the
71.5 court shall sentence a person to imprisonment for life if the person is convicted under section
71.6 609.342, subdivision 1, paragraph (a), (b), (c), (d), or (e); ~~(f); or (h);~~ or 609.342, subdivision
71.7 1a, clause (a), (b), (c), (d), (h), or (i); 609.343, subdivision 1, paragraph (a), (b), (c), (d), or
71.8 (e); ~~(f); or (h);~~ or 609.343, subdivision 1a, clause (a), (b), (c), (d), (h), or (i); and the fact
71.9 finder determines that a heinous element exists.

71.10 (b) The fact finder may not consider a heinous element if it is an element of the underlying
71.11 specified violation of section 609.342 or 609.343.

71.12 Subd. 3a. **Mandatory sentence for certain engrained offenders.** (a) A court shall
71.13 commit a person to the commissioner of corrections for a period of time that is not less than
71.14 double the presumptive sentence under the sentencing guidelines and not more than the
71.15 statutory maximum, or if the statutory maximum is less than double the presumptive sentence,
71.16 for a period of time that is equal to the statutory maximum, if:

71.17 (1) the court is imposing an executed sentence on a person convicted of committing or
71.18 attempting to commit a violation of section 609.342, 609.343, 609.344, 609.345, ~~or 609.3453,~~
71.19 or 609.3458;

221.25 (2) the fact finder determines that the offender is a danger to public safety; and
221.26 (3) the fact finder determines that the offender's criminal sexual behavior is so engrained
221.27 that the risk of reoffending is great without intensive psychotherapeutic intervention or other
221.28 long-term treatment or supervision extending beyond the presumptive term of imprisonment
221.29 and supervised release.

221.30 (b) The fact finder shall base its determination that the offender is a danger to public
221.31 safety on any of the following factors:

221.32 (1) the crime involved an aggravating factor that would justify a durational departure
221.33 from the presumptive sentence under the sentencing guidelines;

222.1 (2) the offender previously committed or attempted to commit a predatory crime or a
222.2 violation of section 609.224 or 609.2242, including:

222.3 (i) an offense committed as a juvenile that would have been a predatory crime or a
222.4 violation of section 609.224 or 609.2242 if committed by an adult; or

222.5 (ii) a violation or attempted violation of a similar law of any other state or the United
222.6 States; or

222.7 (3) the offender planned or prepared for the crime prior to its commission.

222.8 (c) As used in this section, "predatory crime" has the meaning given in section 609.341,
222.9 subdivision 22.

222.10 Subd. 4. **Mandatory life sentence; repeat offenders.** (a) Notwithstanding the statutory
222.11 maximum penalty otherwise applicable to the offense, the court shall sentence a person to
222.12 imprisonment for life if the person is convicted of violating section 609.342, 609.343,
222.13 609.344, 609.345, ~~609.3453~~, or 609.3458 and:

222.14 (1) the person has two previous sex offense convictions;

222.15 (2) the person has a previous sex offense conviction and:

222.16 (i) the fact finder determines that the present offense involved an aggravating factor that
222.17 would provide grounds for an upward durational departure under the sentencing guidelines
222.18 other than the aggravating factor applicable to repeat criminal sexual conduct convictions;

222.19 (ii) the person received an upward durational departure from the sentencing guidelines
222.20 for the previous sex offense conviction; or

222.21 (iii) the person was sentenced under this section or Minnesota Statutes 2004, section
222.22 609.108, for the previous sex offense conviction; or

222.23 (3) the person has two prior sex offense convictions, and the fact finder determines that
222.24 the prior convictions and present offense involved at least three separate victims, and:

71.20 (2) the fact finder determines that the offender is a danger to public safety; and
71.21 (3) the fact finder determines that the offender's criminal sexual behavior is so engrained
71.22 that the risk of reoffending is great without intensive psychotherapeutic intervention or other
71.23 long-term treatment or supervision extending beyond the presumptive term of imprisonment
71.24 and supervised release.

71.25 (b) The fact finder shall base its determination that the offender is a danger to public
71.26 safety on any of the following factors:

71.27 (1) the crime involved an aggravating factor that would justify a durational departure
71.28 from the presumptive sentence under the sentencing guidelines;

71.29 (2) the offender previously committed or attempted to commit a predatory crime or a
71.30 violation of section 609.224 or 609.2242, including:

71.31 (i) an offense committed as a juvenile that would have been a predatory crime or a
71.32 violation of section 609.224 or 609.2242 if committed by an adult; or

72.1 (ii) a violation or attempted violation of a similar law of any other state or the United
72.2 States; or

72.3 (3) the offender planned or prepared for the crime prior to its commission.

72.4 (c) As used in this section, "predatory crime" has the meaning given in section 609.341,
72.5 subdivision 22.

72.6 Subd. 4. **Mandatory life sentence; repeat offenders.** (a) Notwithstanding the statutory
72.7 maximum penalty otherwise applicable to the offense, the court shall sentence a person to
72.8 imprisonment for life if the person is convicted of violating section 609.342, 609.343,
72.9 609.344, 609.345, ~~609.3453~~, or 609.3458 and:

72.10 (1) the person has two previous sex offense convictions;

72.11 (2) the person has a previous sex offense conviction and:

72.12 (i) the fact finder determines that the present offense involved an aggravating factor that
72.13 would provide grounds for an upward durational departure under the sentencing guidelines
72.14 other than the aggravating factor applicable to repeat criminal sexual conduct convictions;

72.15 (ii) the person received an upward durational departure from the sentencing guidelines
72.16 for the previous sex offense conviction; or

72.17 (iii) the person was sentenced under this section or Minnesota Statutes 2004, section
72.18 609.108, for the previous sex offense conviction; or

72.19 (3) the person has two prior sex offense convictions, and the fact finder determines that
72.20 the prior convictions and present offense involved at least three separate victims, and:

222.25 (i) the fact finder determines that the present offense involved an aggravating factor that
222.26 would provide grounds for an upward durational departure under the sentencing guidelines
222.27 other than the aggravating factor applicable to repeat criminal sexual conduct convictions;

222.28 (ii) the person received an upward durational departure from the sentencing guidelines
222.29 for one of the prior sex offense convictions; or

222.30 (iii) the person was sentenced under this section or Minnesota Statutes 2004, section
222.31 609.108, for one of the prior sex offense convictions.

223.1 (b) Notwithstanding paragraph (a), a court may not sentence a person to imprisonment
223.2 for life for a violation of section 609.345, unless the person's previous or prior sex offense
223.3 convictions that are being used as the basis for the sentence are for violations of section
223.4 609.342, 609.343, 609.344, ~~or~~ 609.3453, or 609.3458, or any similar statute of the United
223.5 States, this state, or any other state.

223.6 Subd. 5. **Life sentences; minimum term of imprisonment.** At the time of sentencing
223.7 under subdivision 3 or 4, the court shall specify a minimum term of imprisonment, based
223.8 on the sentencing guidelines or any applicable mandatory minimum sentence, that must be
223.9 served before the offender may be considered for supervised release.

223.10 Subd. 6. **Mandatory ten-year conditional release term.** Notwithstanding the statutory
223.11 maximum sentence otherwise applicable to the offense and unless a longer conditional
223.12 release term is required in subdivision 7, when a court commits an offender to the custody
223.13 of the commissioner of corrections for a violation of section 609.342, 609.343, 609.344,
223.14 609.345, ~~or~~ 609.3453, or 609.3458, the court shall provide that, after the offender has been
223.15 released from prison, the commissioner shall place the offender on conditional release for
223.16 ten years.

223.17 Subd. 7. **Mandatory lifetime conditional release term.** (a) When a court sentences an
223.18 offender under subdivision 3 or 4, the court shall provide that, if the offender is released
223.19 from prison, the commissioner of corrections shall place the offender on conditional release
223.20 for the remainder of the offender's life.

223.21 (b) Notwithstanding the statutory maximum sentence otherwise applicable to the offense,
223.22 when the court commits an offender to the custody of the commissioner of corrections for
223.23 a violation of section 609.342, 609.343, 609.344, 609.345, ~~or~~ 609.3453, or 609.3458, and
223.24 the offender has a previous or prior sex offense conviction, the court shall provide that, after
223.25 the offender has been released from prison, the commissioner shall place the offender on
223.26 conditional release for the remainder of the offender's life.

223.27 (c) Notwithstanding paragraph (b), an offender may not be placed on lifetime conditional
223.28 release for a violation of section 609.345, unless the offender's previous or prior sex offense
223.29 conviction is for a violation of section 609.342, 609.343, 609.344, ~~or~~ 609.3453, or 609.3458,
223.30 or any similar statute of the United States, this state, or any other state.

72.21 (i) the fact finder determines that the present offense involved an aggravating factor that
72.22 would provide grounds for an upward durational departure under the sentencing guidelines
72.23 other than the aggravating factor applicable to repeat criminal sexual conduct convictions;

72.24 (ii) the person received an upward durational departure from the sentencing guidelines
72.25 for one of the prior sex offense convictions; or

72.26 (iii) the person was sentenced under this section or Minnesota Statutes 2004, section
72.27 609.108, for one of the prior sex offense convictions.

72.28 (b) Notwithstanding paragraph (a), a court may not sentence a person to imprisonment
72.29 for life for a violation of section 609.345, unless the person's previous or prior sex offense
72.30 convictions that are being used as the basis for the sentence are for violations of section
72.31 609.342, 609.343, 609.344, ~~or~~ 609.3453, or 609.3458, or any similar statute of the United
72.32 States, this state, or any other state.

73.1 Subd. 5. **Life sentences; minimum term of imprisonment.** At the time of sentencing
73.2 under subdivision 3 or 4, the court shall specify a minimum term of imprisonment, based
73.3 on the sentencing guidelines or any applicable mandatory minimum sentence, that must be
73.4 served before the offender may be considered for supervised release.

73.5 Subd. 6. **Mandatory ten-year conditional release term.** Notwithstanding the statutory
73.6 maximum sentence otherwise applicable to the offense and unless a longer conditional
73.7 release term is required in subdivision 7, when a court commits an offender to the custody
73.8 of the commissioner of corrections for a violation of section 609.342, 609.343, 609.344,
73.9 609.345, ~~or~~ 609.3453, or 609.3458, the court shall provide that, after the offender has been
73.10 released from prison, the commissioner shall place the offender on conditional release for
73.11 ten years.

73.12 Subd. 7. **Mandatory lifetime conditional release term.** (a) When a court sentences an
73.13 offender under subdivision 3 or 4, the court shall provide that, if the offender is released
73.14 from prison, the commissioner of corrections shall place the offender on conditional release
73.15 for the remainder of the offender's life.

73.16 (b) Notwithstanding the statutory maximum sentence otherwise applicable to the offense,
73.17 when the court commits an offender to the custody of the commissioner of corrections for
73.18 a violation of section 609.342, 609.343, 609.344, 609.345, ~~or~~ 609.3453, or 609.3458, and
73.19 the offender has a previous or prior sex offense conviction, the court shall provide that, after
73.20 the offender has been released from prison, the commissioner shall place the offender on
73.21 conditional release for the remainder of the offender's life.

73.22 (c) Notwithstanding paragraph (b), an offender may not be placed on lifetime conditional
73.23 release for a violation of section 609.345, unless the offender's previous or prior sex offense
73.24 conviction is for a violation of section 609.342, 609.343, 609.344, ~~or~~ 609.3453, or 609.3458,
73.25 or any similar statute of the United States, this state, or any other state.

223.31 Subd. 8. **Terms of conditional release; applicable to all sex offenders.** (a) The
223.32 provisions of this subdivision relating to conditional release apply to all sex offenders
223.33 sentenced to prison for a violation of section 609.342, 609.343, 609.344, 609.345, ~~or~~
223.34 609.3453, or 609.3458. Except as provided in this subdivision, conditional release of sex
224.1 offenders is governed by provisions relating to supervised release. The commissioner of
224.2 corrections may not dismiss an offender on conditional release from supervision until the
224.3 offender's conditional release term expires.

224.4 (b) The conditions of release may include successful completion of treatment and aftercare
224.5 in a program approved by the commissioner, satisfaction of the release conditions specified
224.6 in section 244.05, subdivision 6, and any other conditions the commissioner considers
224.7 appropriate. The commissioner shall develop a plan to pay the cost of treatment of a person
224.8 released under this subdivision. The plan may include co-payments from offenders,
224.9 third-party payers, local agencies, or other funding sources as they are identified. This
224.10 section does not require the commissioner to accept or retain an offender in a treatment
224.11 program. Before the offender is placed on conditional release, the commissioner shall notify
224.12 the sentencing court and the prosecutor in the jurisdiction where the offender was sentenced
224.13 of the terms of the offender's conditional release. The commissioner also shall make
224.14 reasonable efforts to notify the victim of the offender's crime of the terms of the offender's
224.15 conditional release.

224.16 (c) If the offender fails to meet any condition of release, the commissioner may revoke
224.17 the offender's conditional release and order that the offender serve all or a part of the
224.18 remaining portion of the conditional release term in prison. An offender, while on supervised
224.19 release, is not entitled to credit against the offender's conditional release term for time served
224.20 in confinement for a violation of release.

224.21 Subd. 9. **Applicability.** The provisions of this section do not affect the applicability of
224.22 Minnesota Statutes 2004, section 609.108, to crimes committed before August 1, 2005, or
224.23 the validity of sentences imposed under Minnesota Statutes 2004, section 609.108.

224.24 Subd. 10. **Presumptive executed sentence for repeat sex offenders.** Except as provided
224.25 in subdivision 2, 3, 3a, or 4, if a person is convicted under sections 609.342 to 609.345 or
224.26 609.3453 within 15 years of a previous sex offense conviction, the court shall commit the
224.27 defendant to the commissioner of corrections for not less than three years, nor more than
224.28 the maximum sentence provided by law for the offense for which convicted, notwithstanding
224.29 sections 242.19, 243.05, 609.11, 609.12, and 609.135. The court may stay the execution of
224.30 the sentence imposed under this subdivision only if it finds that a professional assessment
224.31 indicates the offender is accepted by and can respond to treatment at a long-term inpatient
224.32 program exclusively treating sex offenders and approved by the commissioner of corrections.
224.33 If the court stays the execution of a sentence, it shall include the following as conditions of
224.34 probation:

225.1 (1) incarceration in a local jail or workhouse; and

73.26 Subd. 8. **Terms of conditional release; applicable to all sex offenders.** (a) The
73.27 provisions of this subdivision relating to conditional release apply to all sex offenders
73.28 sentenced to prison for a violation of section 609.342, 609.343, 609.344, 609.345, ~~or~~
73.29 609.3453, or 609.3458. Except as provided in this subdivision, conditional release of sex
73.30 offenders is governed by provisions relating to supervised release. The commissioner of
73.31 corrections may not dismiss an offender on conditional release from supervision until the
73.32 offender's conditional release term expires.

73.33 (b) The conditions of release may include successful completion of treatment and aftercare
73.34 in a program approved by the commissioner, satisfaction of the release conditions specified
74.1 in section 244.05, subdivision 6, and any other conditions the commissioner considers
74.2 appropriate. The commissioner shall develop a plan to pay the cost of treatment of a person
74.3 released under this subdivision. The plan may include co-payments from offenders,
74.4 third-party payers, local agencies, or other funding sources as they are identified. This
74.5 section does not require the commissioner to accept or retain an offender in a treatment
74.6 program. Before the offender is placed on conditional release, the commissioner shall notify
74.7 the sentencing court and the prosecutor in the jurisdiction where the offender was sentenced
74.8 of the terms of the offender's conditional release. The commissioner also shall make
74.9 reasonable efforts to notify the victim of the offender's crime of the terms of the offender's
74.10 conditional release.

74.11 (c) If the offender fails to meet any condition of release, the commissioner may revoke
74.12 the offender's conditional release and order that the offender serve all or a part of the
74.13 remaining portion of the conditional release term in prison. An offender, while on supervised
74.14 release, is not entitled to credit against the offender's conditional release term for time served
74.15 in confinement for a violation of release.

74.16 Subd. 9. **Applicability.** The provisions of this section do not affect the applicability of
74.17 Minnesota Statutes 2004, section 609.108, to crimes committed before August 1, 2005, or
74.18 the validity of sentences imposed under Minnesota Statutes 2004, section 609.108.

74.19 Subd. 10. **Presumptive executed sentence for repeat sex offenders.** Except as provided
74.20 in subdivision 2, 3, 3a, or 4, if a person is convicted under sections 609.342 to 609.345 or
74.21 609.3453 within 15 years of a previous sex offense conviction, the court shall commit the
74.22 defendant to the commissioner of corrections for not less than three years, nor more than
74.23 the maximum sentence provided by law for the offense for which convicted, notwithstanding
74.24 sections 242.19, 243.05, 609.11, 609.12, and 609.135. The court may stay the execution of
74.25 the sentence imposed under this subdivision only if it finds that a professional assessment
74.26 indicates the offender is accepted by and can respond to treatment at a long-term inpatient
74.27 program exclusively treating sex offenders and approved by the commissioner of corrections.
74.28 If the court stays the execution of a sentence, it shall include the following as conditions of
74.29 probation:

74.30 (1) incarceration in a local jail or workhouse; and

225.2 (2) a requirement that the offender successfully complete the treatment program and
225.3 aftercare as directed by the court.

225.4 Sec. 19. **[609.3458] SEXUAL EXTORTION.**

225.5 Subdivision 1. **Crime defined.** (a) A person who engages in sexual contact with another
225.6 person and compels the other person to submit to the contact by making any of the following
225.7 threats, directly or indirectly, is guilty of sexual extortion:

225.8 (1) a threat to withhold or harm the complainant's trade, business, profession, position,
225.9 employment, or calling;

225.10 (2) a threat to make or cause to be made a criminal charge against the complainant,
225.11 whether true or false;

225.12 (3) a threat to report the complainant's immigration status to immigration or law
225.13 enforcement authorities;

225.14 (4) a threat to disseminate private sexual images of the complainant as specified in
225.15 section 617.261, nonconsensual dissemination of private sexual images;

225.16 (5) a threat to expose information that the actor knows the complainant wishes to keep
225.17 confidential; or

225.18 (6) a threat to withhold complainant's housing, or to cause complainant a loss or
225.19 disadvantage in the complainant's housing, or a change in the cost of complainant's housing.

225.20 (b) A person who engages in sexual penetration with another person and compels the
225.21 other person to submit to such penetration by making any of the following threats, directly
225.22 or indirectly, is guilty of sexual extortion:

225.23 (1) a threat to withhold or harm the complainant's trade, business, profession, position,
225.24 employment, or calling;

225.25 (2) a threat to make or cause to be made a criminal charge against the complainant,
225.26 whether true or false;

225.27 (3) a threat to report the complainant's immigration status to immigration or law
225.28 enforcement authorities;

225.29 (4) a threat to disseminate private sexual images of the complainant as specified in
225.30 section 617.261, nonconsensual dissemination of private sexual images;

226.1 (5) a threat to expose information that the actor knows the complainant wishes to keep
226.2 confidential; or

226.3 (6) a threat to withhold complainant's housing, or to cause complainant a loss or
226.4 disadvantage in the complainant's housing, or a change in the cost of complainant's housing.

74.31 (2) a requirement that the offender successfully complete the treatment program and
74.32 aftercare as directed by the court.

75.1 Sec. 20. **[609.3458] SEXUAL EXTORTION.**

75.2 Subdivision 1. **Crime defined.** (a) A person who engages in sexual contact with another
75.3 person and compels the other person to submit to the contact by making any of the following
75.4 threats, directly or indirectly, is guilty of sexual extortion:

75.5 (1) a threat to withhold or harm the complainant's trade, business, profession, position,
75.6 employment, or calling;

75.7 (2) a threat to make or cause to be made a criminal charge against the complainant,
75.8 whether true or false;

75.9 (3) a threat to report the complainant's immigration status to immigration or law
75.10 enforcement authorities;

75.11 (4) a threat to disseminate private sexual images of the complainant as specified in
75.12 section 617.261, nonconsensual dissemination of private sexual images;

75.13 (5) a threat to expose information that the actor knows the complainant wishes to keep
75.14 confidential; or

75.15 (6) a threat to withhold complainant's housing, or to cause complainant a loss or
75.16 disadvantage in the complainant's housing, or a change in the cost of complainant's housing.

75.17 (b) A person who engages in sexual penetration with another person and compels the
75.18 other person to submit to such penetration by making any of the following threats, directly
75.19 or indirectly, is guilty of sexual extortion:

75.20 (1) a threat to withhold or harm the complainant's trade, business, profession, position,
75.21 employment, or calling;

75.22 (2) a threat to make or cause to be made a criminal charge against the complainant,
75.23 whether true or false;

75.24 (3) a threat to report the complainant's immigration status to immigration or law
75.25 enforcement authorities;

75.26 (4) a threat to disseminate private sexual images of the complainant as specified in
75.27 section 617.261, nonconsensual dissemination of private sexual images;

75.28 (5) a threat to expose information that the actor knows the complainant wishes to keep
75.29 confidential; or

75.30 (6) a threat to withhold complainant's housing, or to cause complainant a loss or
75.31 disadvantage in the complainant's housing, or a change in the cost of complainant's housing.

226.5 Subd. 2. **Penalty.** (a) A person is guilty of a felony and may be sentenced to imprisonment
226.6 for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the
226.7 person violates subdivision 1, paragraph (a).

226.8 (b) A person is guilty of a felony and may be sentenced to imprisonment for not more
226.9 than 15 years or to payment of a fine of not more than \$30,000, or both, if the person violates
226.10 subdivision 1, paragraph (b).

226.11 (c) A person convicted under this section is also subject to conditional release under
226.12 section 609.3455.

226.13 Subd. 3. **No attempt charge.** Notwithstanding section 609.17, no person may be charged
226.14 with or convicted of an attempt to commit a violation of this section.

226.15 Sec. 20. Minnesota Statutes 2020, section 609.347, is amended by adding a subdivision
226.16 to read:

226.17 Subd. 8. **Voluntary intoxication defense for certain mentally incapacitated cases;**
226.18 **clarification of applicability.** (a) The "knows or has reason to know" mental state
226.19 requirement for violations of sections 609.342 to 609.345 involving a complainant who is
226.20 mentally incapacitated, as defined in section 609.341, subdivision 7, clause (2), involves
226.21 specific intent for purposes of determining the applicability of the voluntary intoxication
226.22 defense described in section 609.075. This defense may be raised by a defendant if the
226.23 defense is otherwise applicable under section 609.075 and related case law.

226.24 (b) Nothing in paragraph (a) may be interpreted to change the application of the defense
226.25 to other crimes.

226.26 (c) Nothing in paragraph (a) is intended to change the scope or limitations of the defense
226.27 or case law interpreting it beyond clarifying that the defense is available to a defendant
226.28 described in paragraph (a).

226.29 **EFFECTIVE DATE.** This section is effective August 1, 2021, and applies to crimes
226.30 committed on or after that date.

227.1 Sec. 21. Minnesota Statutes 2020, section 624.712, subdivision 5, is amended to read:

227.2 Subd. 5. **Crime of violence.** "Crime of violence" means: felony convictions of the
227.3 following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the
227.4 second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first
227.5 degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding
227.6 attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second
227.7 degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree);
227.8 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic
227.9 assault by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235
227.10 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated
227.11 robbery); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322 (solicitation,
227.12 inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal sexual conduct

76.1 Subd. 2. **Penalty.** (a) A person is guilty of a felony and may be sentenced to imprisonment
76.2 for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the
76.3 person violates subdivision 1, paragraph (a).

76.4 (b) A person is guilty of a felony and may be sentenced to imprisonment for not more
76.5 than 15 years or to payment of a fine of not more than \$30,000, or both, if the person violates
76.6 subdivision 1, paragraph (b).

76.7 (c) A person convicted under this section is also subject to conditional release under
76.8 section 609.3455.

76.9 Subd. 3. **No attempt charge.** Notwithstanding section 609.17, no person may be charged
76.10 with or convicted of an attempt to commit a violation of this section.

76.11 Sec. 21. Minnesota Statutes 2020, section 609.347, is amended by adding a subdivision
76.12 to read:

76.13 Subd. 8. **Voluntary intoxication defense for certain mentally incapacitated cases;**
76.14 **clarification of applicability.** (a) The "knows or has reason to know" mental state
76.15 requirement for violations of sections 609.342 to 609.345 involving a complainant who is
76.16 mentally incapacitated, as defined in section 609.341, subdivision 7, clause (2), involves
76.17 specific intent for purposes of determining the applicability of the voluntary intoxication
76.18 defense described in section 609.075. This defense may be raised by a defendant if the
76.19 defense is otherwise applicable under section 609.075 and related case law.

76.20 (b) Nothing in paragraph (a) may be interpreted to change the application of the defense
76.21 to other crimes.

76.22 (c) Nothing in paragraph (a) is intended to change the scope or limitations of the defense
76.23 or case law interpreting it beyond clarifying that the defense is available to a defendant
76.24 described in paragraph (a).

76.25 **EFFECTIVE DATE.** The section is effective August 1, 2021, and applies to crimes
76.26 committed on or after that date.

227.13 in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal
227.14 sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree);
227.15 609.3458 (sexual extortion); 609.377 (malicious punishment of a child); 609.378 (neglect
227.16 or endangerment of a child); 609.486 (commission of crime while wearing or possessing a
227.17 bullet-resistant vest); 609.52 (involving theft of a firearm and theft involving the theft of a
227.18 controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first
227.19 degree); 609.562 (arson in the second degree); 609.582, subdivision 1 or 2 (burglary in the
227.20 first and second degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully
227.21 owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot);
227.22 609.713 (terroristic threats); 609.749 (harassment); 609.855, subdivision 5 (shooting at a
227.23 public transit vehicle or facility); and chapter 152 (drugs, controlled substances); and an
227.24 attempt to commit any of these offenses.

227.25 **Sec. 22. PREDATORY OFFENDER STATUTORY FRAMEWORK WORKING**
227.26 **GROUP; REPORT.**

227.27 Subdivision 1. **Direction.** By September 1, 2021, the commissioner of public safety
227.28 shall convene a working group to comprehensively assess the predatory offender statutory
227.29 framework. The commissioner shall invite representatives from the Department of
227.30 Corrections with specific expertise on juvenile justice reform, city and county prosecuting
227.31 agencies, statewide crime victim coalitions, the Minnesota judicial branch, the Minnesota
227.32 Board of Public Defense, private criminal defense attorneys, the Department of Public
227.33 Safety, the Department of Human Services, the Sentencing Guidelines Commission, state
227.34 and local law enforcement agencies, and other interested parties to participate in the working
227.35 group. The commissioner shall ensure that the membership of the working group is balanced
228.1 among the various representatives and reflects a broad spectrum of viewpoints, and is
228.2 inclusive of marginalized communities as well as victim and survivor voices.

228.3 Subd. 2. **Duties.** The working group must examine and assess the predatory offender
228.4 registration (POR) laws, including, but not limited to, the requirements placed on offenders,
228.5 the crimes for which POR is required, the method by which POR requirements are applied
228.6 to offenders, and the effectiveness of the POR system in achieving its stated purpose.
228.7 Governmental agencies that hold POR data shall provide the working group with public
228.8 POR data upon request. The working group is encouraged to request the assistance of the
228.9 state court administrator's office to obtain relevant POR data maintained by the court system.

228.10 Subd. 3. **Report to legislature.** The commissioner shall file a report detailing the working
228.11 group's findings and recommendations with the chairs and ranking minority members of
228.12 the house of representatives and senate committees and divisions having jurisdiction over
228.13 public safety and judiciary policy and finance by January 15, 2022.

228.14 **Sec. 23. REVISOR INSTRUCTION.**

228.15 (a) The revisor of statutes shall make necessary cross-reference changes and remove
228.16 statutory cross-references in Minnesota Statutes to conform with this act. The revisor may

78.18 **Sec. 23. PREDATORY OFFENDER STATUTORY FRAMEWORK WORKING**
78.19 **GROUP; REPORT.**

78.20 Subdivision 1. **Direction.** By September 1, 2021, the commissioner of public safety
78.21 shall convene a working group to comprehensively assess the predatory offender statutory
78.22 framework. The commissioner shall invite representatives from the Department of
78.23 Corrections with specific expertise on juvenile justice reform, city and county prosecuting
78.24 agencies, statewide crime victim coalitions, the Minnesota judicial branch, the Minnesota
78.25 Board of Public Defense, private criminal defense attorneys, the Department of Public
78.26 Safety, the Department of Human Services, the Sentencing Guidelines Commission, state
78.27 and local law enforcement agencies, and other interested parties to participate in the working
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78.29 among the various representatives and reflects a broad spectrum of viewpoints, and is
78.30 inclusive of marginalized communities as well as victim and survivor voices.

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78.32 registration (POR) laws, including, but not limited to, the requirements placed on offenders,
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79.2 Governmental agencies that hold POR data shall provide the working group with public
79.3 POR data upon request. The working group is encouraged to request the assistance of the
79.4 state court administrator's office to obtain relevant POR data maintained by the court system.

79.5 Subd. 3. **Report to legislature.** The commissioner shall file a report detailing the working
79.6 group's findings and recommendations with the chairs and ranking minority members of
79.7 the house of representatives and senate committees and divisions having jurisdiction over
79.8 public safety and judiciary policy and finance by January 15, 2022.

79.9 **Sec. 24. REVISOR INSTRUCTION.**

79.10 (a) The revisor of statutes shall make necessary cross-reference changes and remove
79.11 statutory cross-references in Minnesota Statutes to conform with this act. The revisor may

- 228.17 make technical and other necessary changes to language and sentence structure to preserve
228.18 the meaning of the text.
- 228.19 (b) In Minnesota Statutes, the revisor of statutes shall modify the headnote to Minnesota
228.20 Statutes, section 609.347, to reflect the amendment to that section contained in this act.

- 79.12 make technical and other necessary changes to language and sentence structure to preserve
79.13 the meaning of the text.
- 79.14 (b) In Minnesota Statutes, the revisor of statutes shall modify the headnote to Minnesota
79.15 Statutes, section 609.347, to reflect the amendment to that section contained in this act.